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CITY OF
Oxnard

STREAMLINING THE DEVELOPMENT PERMIT PROCESS

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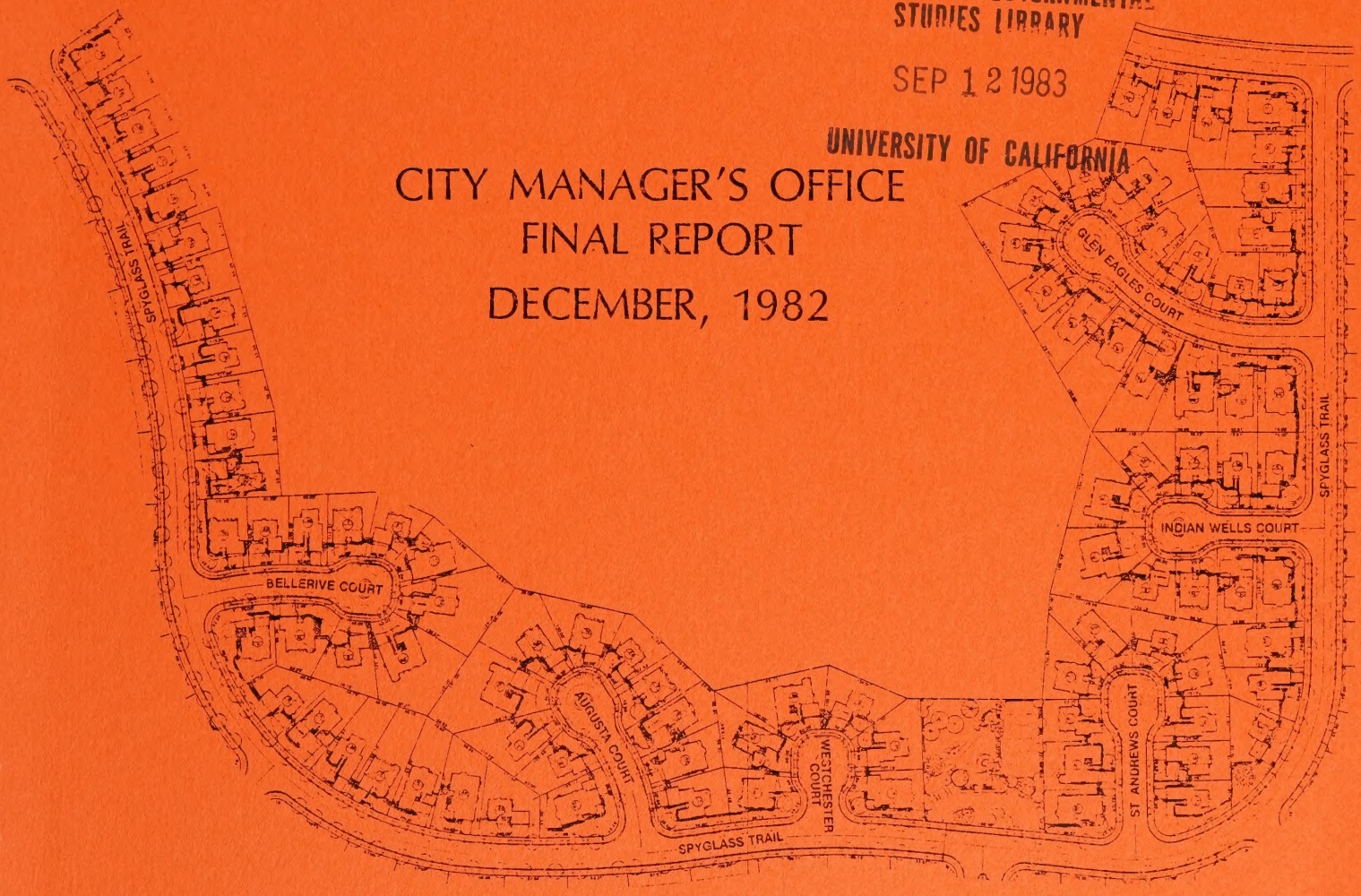

CITY MANAGER'S OFFICE
FINAL REPORT
DECEMBER, 1982

P301834

STREAMLINING THE DEVELOPMENT PERMIT PROCESS

FINAL REPORT
DECEMBER 6, 1982

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CITY OF Oxnard

CITY MANAGER • 300 W. THIRD STREET • OXNARD, CALIFORNIA 93030 • (805) 486-4311 EXT. 3550

STEPHEN A. COOK, CITY MANAGER

December 8, 1982

TO: Honorable Mayor and City Council
Members of the Planning Commission

FROM: Stephen A. Cook, City Manager

SUBJECT: STREAMLINING THE DEVELOPMENT PERMIT PROCESS

On August 3, 1982, the City Council directed an extensive evaluation of methods for streamlining the City's development regulation and associated permit processing system. This study was initiated in response to concerns expressed by the Council and by representatives of the City's business and development community, reflecting a growing frustration with the time required to meet the complex development review requirements largely imposed by State law.

The enclosed report explains the findings of our study and provides several recommendations for streamlining developed by the Ad Hoc Review Committee established by Council on September 28. Through six intensive meeting sessions between October 21 and November 24, the Committee reviewed the data developed in the initial staff analysis, and came to agreement on several recommendations for streamlining the City's permit process without sacrificing the quality of review. The report will be formally presented at a joint meeting of the City Council and City Planning Commission on December 14, 1982.

While the report has not yet been reviewed or acted upon by the Planning Commission or City Council, we are already beginning to realize some positive public relations as a result of this effort. Although many diverse perspectives were represented on the Ad Hoc Committee, the group worked very well together and developed a solid rapport and cooperative attitude. I believe that a recognition has emerged that the City is willing to make a serious effort to solve the significant processing problems that have plagued our land use regulatory activities.

The members of the Ad Hoc Review Committee are to be commended for their unselfish personal contributions toward reducing the problems associated with future development in the City.

Stephen A. Cook
City Manager

SAC:dtg

STREAMLINING THE DEVELOPMENT PERMIT PROCESS

EXECUTIVE SUMMARY

On August 3, 1982, the City Council approved a workplan and time schedule proposed by the City Manager to accomplish a detailed study of the City's development regulation system. The basic purpose of this study was to identify ways to streamline the complex review process to reduce the time required without sacrificing the quality of review.

The study approved by the City Council included two major components: (1) an intensive staff analysis to identify sources of processing delay and to examine streamlining techniques; and, (2) a thorough review of problems and potential solutions by an Ad Hoc Review Committee made up not only of City officials responsible for development regulation but also involving representatives of the private sector most directly affected by the City's regulation process. The initial staff analysis was conducted between August 3 and October 21, and the Review Committee studied the data provided and developed its recommendation between October 21 and November 24, 1982.

Why Streamline the Permit Process?

This study was undertaken in response to concerns expressed over the past several months by City Councilmembers, City regulatory officials, and members of the City's business and development community. These concerns reflect a growing frustration with the time and effort required to process development applications through the complex review system mandated by State law.

The contact with other jurisdictions through this study has shown that the City of Oxnard is not unique in recognizing the need to streamline its development regulation process. Virtually every agency contacted is faced with essentially the same problem of complying with complex State-imposed planning and review requirements while trying to stimulate and encourage economic development. In a recent publication, the U.S. Department of Housing and Urban Development cogently summarized the importance of streamlining development regulation systems:

> "For once there is an issue on which public officials, planning staffs, developers and citizens can all agree: the regulatory process has become too complicated. More and more communities are assigning a high priority to streamlining approval procedures. These reforms often have come about at the urging of local homebuilders and developers, but simplifying the system can benefit all participants."

Development Regulation and State Law

The local development review process is largely the result of specific planning and environmental requirements imposed by the State. Any development which the City of Oxnard approves must conform to the City's General Plan and Zoning Regulations, which are required by State law. Each development must also meet stringent environmental regulations and reporting requirements imposed by State law. And, finally, all development projects must meet local permit requirements, which are designed to assure compliance with the City's General Plan and Zoning Ordinance, as well as various State laws governing planning, subdivision of land, and environmental protection.

Therefore, while permit processing can be substantially streamlined, any improvements must be made within the framework established rather specifically by State law.

Permit Processing in the City of Oxnard

As in most jurisdictions, development regulation (i.e. permit processing) in the City of Oxnard requires the involvement of employees from several different departments. This involvement insures the review of development proposals from several perspectives: planning, engineering, impact on City services, fire safety, security, etc.

In Oxnard, approximately 33.4 staff-years will be devoted to permit processing during fiscal 1982-83, from seven City departments and divisions: Building and Safety, Planning, Public Works, City Attorney, Fire, Parks and Recreation, and Police. During calendar 1981, the City reviewed a total of 6,864 permit applications. Only 108 of these permits involved discretionary decision-making; the remainder were for ministerial permits (e.g. building permit), which are usually issued as soon as review determines that the proposal complies with established requirements. Since time delay associated with ministerial permits is usually minimal, this study does not include these permits.

The discretionary permits, in spite of the relatively small numbers involved, have generated most of the concerns expressed, because these permits often require months for the complex review mandated by law; and, they require a highly disproportionate amount of staff time and applicant involvement.

The City of Oxnard issues 17 distinct types of discretionary permits, all processed with the Planning Department serving as "lead" agency, coordinating the review by other City departments and compiling the recommendations for consideration by the Planning Commission and the City Council.

Analysis of Elapsed Time Data

A major component of this study is the analysis of actual cases processed by the City, to objectively quantify the elapsed time involved. From this analysis, general areas of routinely-encountered delay have been identified.

To examine elapsed time, eight (of 17) permit categories were selected, as shown below. These eight discretionary categories were chosen because they represent the bulk of the City's review workload.

Permit Category	Number of Cases Reviewed
1. Zone Change	5
2. Planned Development	10
3. Special Use	29
4. Tentative Tract Map	4
5. Tentative Parcel Map	4
6. T.P.M. Extension	1
7. Reversion to Acreage	3
8. Zoning Variance	7
TOTAL	63

Within each category, the cases initiated and completed between January 1, 1981, and June 30, 1982, were chosen for this study. The elapsed times involved in the review of these 63 cases are shown in the final report. More importantly, 32 of these cases were selected for in-depth examination, to determine sources of delay. These projects were "tracked" through the major steps in the review process with the areas of delay noted and summarized.

The elapsed time data provided through this study effort have two significant limitations, which must be considered in drawing conclusions. First, Oxnard's elapsed time data includes often substantial amounts of applicant-controlled time, which is time when the City cannot process an application because the applicant has to provide some necessary materials or documentation. A significant amount of applicant-controlled time is involved because Oxnard (unlike virtually every other jurisdiction contacted) accepts incomplete applications and works with the applicant to secure necessary material. Secondly, the data included in this study were gathered from case files that are in some instances incomplete because they were maintained for other reasons. For most cases the missing information was obtained through interviews with the case planners; however, in a few cases the causes of delay could not be identified.

Therefore, while elapsed time data used in this study are accurate, it was impossible to precisely account for applicant-controlled time, and in some cases it was difficult to identify the precise reasons for obvious delays.

Major Sources of Permit Processing Delay

The routinely encountered sources of delay (or "opportunities for streamlining") that are indicated from the detailed data analysis can be grouped into six general categories, as summarized below:

SOURCES OF DELAY

APPLICANT-CONTROLLED	CITY-CONTROLLED
0 Incomplete Applications	0 Inexplicit Development and Review Standards
0 Redesign and Revision Delays	0 Assignment and Review Delays
	0 Development and Approval of "Conditions"
	0 Scheduling and Continuance of Planning Commission and City Council Hearings

Incomplete Applications: In the 32 cases studied in detail, delay associated with incomplete applications was found in 14 projects (44%). This delay ranged from 2 weeks to 4.5 months. Since the City of Oxnard, unlike virtually all other jurisdictions surveyed, accepts incomplete application material and starts the review process, applicants often provide inadequate documentation either hoping to get an early start on review or because the application requirements are not explicitly available to them.

Redesign and Revision Delays: A substantial amount of delay is associated with the redesign and revision of projects to address concerns expressed by City staff, the Planning Commission, and the City Council. Of the 32 cases studied in detail, eleven (34%) were referred back to the applicant for changes or clarification by the Staff Advisory Committees, resulting in applicant-controlled delays ranging from 2 weeks to 3 months. Additionally, of the 32 cases, 12 (38%) were continued at the Planning Commission level because of requests for revision or clarification, resulting in applicant-controlled delays ranging from 2 weeks to 4 months. Only 3 of the 32 projects were referred back to applicants by the City Council, and delay in these cases ranged between 1 week and 4 months.

Inexplicit Development and Review Standards: It is apparent from discussions with City staff and developers, and supported by our analysis of elapsed time, that substantial delay involved at several stages of the permit review process could be significantly reduced through the adoption and publication of more explicit development and design standards. As previously discussed, much of the applicant-controlled delay associated with redesign requests could be avoided if developers were provided with more specific information as to the expectations of the City review authorities.

Assignment and Review Delays: Our case-by-case analysis indicated considerable delay at two stages in the permit review process under the control of the Planning Department: (1) the assignment of cases to project planners, and, (2) the preparation of staff reports.

In 11 of the 32 cases studied (34%), delays ranging between 1 and 3 weeks occurred in the assignment of projects to project planners. During this time, other departmental staff members often prepare neighborhood notification maps and working files, but no analysis of the projects takes place.

Development and Review of Conditions: In 5 of the 32 cases studied (16%), delay ranging between 1 month and 3 months surrounded the development and review of conditions by City departments other than Planning. This delay could be reduced through the publication of more explicit development standards and City requirements. Additionally, these delays can be identified more rapidly, and additional staffing assigned as necessary, through an aggressive project tracking system and more active coordination by the Planning Department.

Scheduling and Continuance of Planning Commission and City Council Hearings: A substantial amount of time is involved in the review of projects by the Planning Commission and the City Council, because of public notice requirements and scheduling difficulties. Most of the cases studied involved 30-45 days before the first hearing at each level, or between 60-90 days for permits requiring review by both the Planning Commission and the City Council.

In addition to the time required to schedule these hearings, at least 20% of the projects studied encountered continuances of 2-5 weeks because of crowded agendas at the Planning Commission level. None of the studied projects was continued for this reason at the Council level.

At the Planning Commission level, additional time (applicant-controlled) was required in twelve (38%) of the studied cases to comply with requests for revisions and clarifications; but, at the City Council level only three (9%) of these cases were referred back to the applicants for changes.

In addition to the examination of specific cases to determine sources of delay, questionnaires were sent to 27 applicants who applied for discretionary permits between January 1, 1981, and June 30, 1982. Ten of these applicants responded, providing their impression of delay areas and their suggestions for improvement. For the most part, the delays identified by these respondents are consistent with the previous discussion; and, most of their suggestions have been included in the recommendations.

Permit Processing in Other Jurisdictions

As part of this study, 25 cities and six counties provided information on their permit processing systems and streamlining techniques that they have used effectively.

A direct comparison of elapsed processing times in these jurisdictions and Oxnard is not possible because of two problems:

- Virtually none of the agencies contacted maintains complete data summaries showing the elapsed time for all permits. Although some of the jurisdictions maintain enough tracking data to confidently estimate average processing times, most of the data provided by the respondents was based upon staff estimates, rather than actual full-range data.

- Virtually every jurisdiction contacted has a firm policy of accepting only completed applications that are consistent with General Plan and Zoning Ordinance requirements. Since Oxnard commonly accepts incomplete applications, and works with the applicant to secure all necessary material, this applicant-controlled time is counted in our overall elapsed time data shown in Chapter 4, while it is not shown as part of similar data for these other jurisdictions.

However, four of the jurisdictions surveyed appear to process most permits substantially faster than Oxnard. These jurisdictions and their recent streamlining techniques were the subject of site visits, as discussed in the final report.

The streamlining techniques identified through the survey of other jurisdictions are too numerous to discuss in this summary; they are included in Chapter 5 of the final report. One approach, however, should be mentioned here because of its strong potential for reducing the time to review some permits: the delegation of approval authority.

Most of the cities surveyed require little or no City Council review of development permits. With the exception of Rezones, only 10 of the 25 cities require City Council approval of any of the major development permits; i.e. 15 of the cities (60%) have arranged for virtually all approval authority to be vested in the Planning Commission, Administrative Hearing Officer, or staff level. In Oxnard, however, the only discretionary permits approved by the Planning Commission are: (1) Planning Development Permits; (2) Special Use Permits; and (3) Zone Variances. All other "discretionary" development permits are approved by the City Council.

Recommendations of the Ad Hoc Review Committee

On September 28, 1982, the City Council authorized the establishment of the Ad Hoc Review Committee to examine the sources of permit processing delay in Oxnard, to evaluate the streamlining techniques used effectively elsewhere, and to develop recommendations for expediting the City's process without sacrificing review quality.

The composition of the Ad Hoc Review Committee involved representatives from a wide variety of perspectives and interests, including City regulatory officials; private sector businesspersons, developers, engineers, and architects; and, private sector environmentalists. Some of the groups designated by the City Council chose to assign alternate representatives; and, since the Committee was established to identify generally acceptable improvements (based upon consensus rather than majority determination) this additional participation was beneficial to the purpose.

The Ad Hoc Review Committee met six times between October 21 and November 24 to discuss and develop recommendations for streamlining the permit process, based upon their review of the material provided though the initial staff analysis.

The Review Committee's recommendations, and a proposed implementation schedule, are summarized below and explained in detail in Chapter 6 of the final report.

SUMMARY OF RECOMMENDATIONS

RECOMMENDATION — **IMPLEMENTATION SCHEDULE**

1. REVISE THE CITY ZONING ORDINANCE TO:
   - Clarify and Update Development Standards;
   - Incorporate Approved Design Review Standards; and,
   - Incorporate Approved Changes to Permit Review and Approval Requirements

   IMPLEMENTATION SCHEDULE: Request for consultant proposal by February 1, 1983. Execute contract by April 1, 1983. Present Ordinance to Planning Commission by September, 1983; and to City Council by October 1, 1983.

2. ESTABLISH AND ADOPT CLEAR DESIGN REVIEW STANDARDS BY RESOLUTION AS CITY POLICY.

   IMPLEMENTATION SCHEDULE: Draft Design Review Manual is scheduled for Planning Commission review in January, 1983; and City Council review in February, 1983.

3. DELEGATE PERMIT APPROVAL RESPONSIBILITY AS FOLLOWS:

PERMIT	CURRENT APPROVAL	PROPOSED APPROVAL
ANNEXATION	COUNCIL	NO CHANGE
GENERAL PLAN AMENDMENT	COUNCIL	NO CHANGE
ZONE CHANGE	COUNCIL	NO CHANGE
MAJOR PLANNED DEVELOPMENT PERMIT	COMMISSION	NO CHANGE
MINOR PLANNED DEVELOPMENT PERMIT (*)	COMMISSION	STAFF
MAJOR S.U.P.	COMMISSION	NO CHANGE
MINOR S.U.P. (*)	COMMISSION	STAFF
TENTATIVE TRACT MAP	COUNCIL	COMMISSION
FINAL TRACT MAP	COUNCIL	NO CHANGE
ALL PARCEL MAPS	COUNCIL	STAFF
REVERSION TO ACREAGE	COUNCIL	NO CHANGE

IMPLEMENTATION SCHEDULE: Revisions to the Subdivision Ordinance, Chapter 27 of the City Code and the definition of Minor P.D. and S.U.P. in Chapter 34, can be drafted and presented to the Planning Commission by February, 1983; and to the City Council in March, 1983.

PERMIT	CURRENT APPROVAL	PROPOSED APPROVAL
LOT CONSOLIDATION	COUNCIL	STAFF
LOT LINE ADJUSTMENT	COUNCIL	STAFF
VARIANCE	COMMISSION	NO CHANGE
MAJOR MODIFICATION	SAME AS PERMIT AFFECTED	NO CHANGE
MINOR MODIFICATION	STAFF	NO CHANGE
TIME EXTENSIONS (**)		
A. MAJOR S.U.P.	COMMISSION	NO CHANGE
B. MINOR S.U.P.	COMMISSION	STAFF
C. TENTATIVE TRACT MAP	COUNCIL	STAFF
D. PARCEL MAP	COUNCIL	STAFF

RECOMMENDATION	IMPLEMENTATION SCHEDULE
4. DESIGNATE THE PLANNING DIRECTOR AS THE LEAD COORDINATOR OF THE PERMIT REVIEW PROCESS, AND THE PLANNING DEPARTMENT AS THE LEAD AGENCY, TO COORDINATE DEPARTMENTAL REVIEW OF PROPOSALS AND DEPARTMENTAL CONTACT WITH APPLICANTS.	To be designated by Council action when report is considered in January, 1983.
5. PROVIDE AN OPPORTUNITY FOR APPLICANT DISCUSSION WITH CITY STAFF, BETWEEN SAC/ORC REVIEW AND THE PREPARATION OF THE FINAL STAFF RECOMMENDATION.	Implemented in November, 1982 as a result of the Committee recommendation
6. ESTABLISH A PROJECT TRACKING SYSTEM WITH PERIODIC REPORTS SHOWING ELAPSED TIME ON ALL PROJECTS UNDER REVIEW. THIS WOULD INCLUDE:	
• A system for allocating staff review based upon complexity and impact of projects.	To be implemented by the Planning Director as a result of the Committee recommendation, by December 1, 1982.
• Target times between review milestones for each permit category.	
• Early neighborhood council notification in all cases	
7. DEVELOP AND PROVIDE CLEAR WRITTEN MATERIAL TO APPLICANTS, INCLUDING:	An interim guide can be developed by Planning Department and made available after proposed revisions to Chapter 27 are completed in March, 1983.
• Standard conditions and design guidelines for each type of permit;	
• Estimated ("target") times for each major step in the review process;	A final guide can be made available after proposed revisions to Chapter 34 are accomplished, October, 1983.
• Periodic revision and updating of material to ensure accuracy; and,	
• Explanation of City-required development fees.	
8. FORMALIZE PRE-APPLICATION CONFERENCE PROCEDURES, INCLUDING THE FOLLOWING FEATURES:	Upon adoption of resolution of procedures and fees by the City Council, prepared after Council acceptance of report, and presented to Council by February, 1983.
• Authorize the Planning Director to require pre-application conferences in complex cases; and,	
• Reduce or eliminate the $350 fee for pre-applications.	
9. ESTABLISH A RIGID POLICY OF INITIATING FORMAL REVIEW OF APPLICATIONS ONLY AFTER ALL NECESSARY APPLICATION MATERIALS HAVE BEEN PROPERLY SUBMITTED AND/OR A PRE-APPLICATION CONFERENCE HAS TAKEN PLACE.	To be implemented in conjunction with Number 8 above.
10. AUTHORIZE THE AD HOC REVIEW COMMITTEE TO RECONVENE QUARTERLY UNTIL ALL APPROVED RECOMMENDATIONS HAVE BEEN FULLY IMPLEMENTED; AND TO PROVIDE PROGRESS REPORTS TO THE CITY COUNCIL.	To be adopted by Council at time of acceptance of report: January, 1983.
11. RECOMMENDATION: THE COMMITTEE FELT FIVE OTHER AREAS OF CONCERN HAVE BEEN BROUGHT TO ITS ATTENTION, BUT ARE BEYOND THEIR PRESENT SCOPE OF REVIEW. THEREFORE, THEY RECOMMEND FURTHER STUDY OF:	Reports on programs to address these areas of concern can be brought to Council early in 1983, and can be a subject of future ad hoc committee meetings.
• Revision of the City's General Plan;	
• The City's Condominium Standards;	
• The Building Permit and Plan Check Process;	
• The Project Conditioning Process; and,	
• The Initial Application Filing Requirements for Larger Developments.	
* The Committee proposes the establishment of a "Minor" S.U.P. category and a "minor" P.D. category, to be further defined by the Planning Department to allow delegation of minor projects for staff approval.	To be prepared by Staff for Council review and approval in March 1983.
** The Committee recommends eliminating extensions by making maps and accompanying entitlement valid for 3 years. If this is not approved, the second recommendation is to delegate extension approval authority as shown.	

CHAPTER 1: INTRODUCTION AND OVERVIEW

This chapter summarizes the events leading to the City Council's decision to direct a study of the City's development regulation system; explains the approach used to accomplish the study; and, provides a general overview of the City's responsibility for land use regulation, including an explanation of the advantages to be gained through streamlining the regulatory process.

A. Background and Purpose of this Study

In September of 1981, the City Manager created a staff task force to investigate the City's process for regulating land development and reviewing permit applications; and to recommend methods for streamlining the process. The task force was made up of senior staff members directly involved on a daily basis in the City's permit review process. The task force completed its work in June of 1982, and recommended several administrative changes designed to expedite the review of development applications. Some of these recommendations were implemented while the study was underway, and the others have been approved by the affected department heads and are now in the process of being implemented. (A more detailed explanation of these recommendations is included in Appendix D to this report).

In addition to identifying immediate improvements, however, the task force concluded that substantial additional improvements could be made to the overall development regulation and permit review process, but that such improvements would require further study prior to consideration by the Planning Commission and the City Council.

As explained in Appendix D, the City Council received the staff task force report on August 3, 1982, and the Council approved the City Manager's recommendation for a more detailed study of the feasibility of major changes to streamline the permit process. These recommendations included the following basic work plan and schedule:

FIGURE 1-1: SCHEDULE FOR STUDY OF CITY'S DEVELOPMENT PERMIT PROCESS

1. Initial Staff Analysis.....Aug. 3 - Oct. 8, 1982
2. Ad Hoc Committee Review.....Oct. 12 - Nov. 19, 1982
3. Prepare Final Report.....Nov. 22 - Dec. 3, 1982
4. Planning Commission Review.....Dec. 6 - Dec. 17, 1982
5. Report To City Council.....December 21, 1982

This report reflects the results of the first three steps outlined above, including the material developed through the staff analysis and the recommendations provided by the Ad Hoc Review Committee.

1. Initial Staff Analysis: The Management Services Unit of the City Manager's Office worked closely with the City Attorney's Office, the Planning Department, and other City Departments involved in the permit process to develop the following information:

   -- A summary of legal requirements establishing the City's role and responsibility for the regulation of land development and use (Chapter 2);

   -- A description of the City's development regulation (and permit review) process, including the City departments and decision making bodies involved, and a description of the various land use permits and their processing requirements (Chapter 3);

   -- An analysis of the actual elapsed time associated with a large sample of development permits during a recent 18-month period including a description of apparent sources of delay, both applicant-controlled and City-controlled. This analysis also includes a brief discussion of the concerns and recommendtions provided by a small sample of applicants surveyed (Chapter 4);

   -- A summary of permit processing approaches in other jurisdictions, including an explanation of streamlining approaches implemented recently by four Southern California agencies (Chapter 5); and,

   -- An inventory of major streamlining techniques used effectively by various jurisdictions throughout the nation (Appendix B).

2. Ad Hoc Review Committee: As explained in Appendix C, the City Council established an Ad Hoc Review Committee on September 28, 1982, to apply the expertise of City officials and private sector representatives to evaluate and develop recommendations for improving and expediting the City's permit review process.

   This Ad Hoc Review Committee held six meetings between October 21 and November 24, 1982, during which they reviewed and discussed material developed from the staff analysis phase. As a result of these meetings, the Review Committee agreed unanimously on several recommendations for improving the City's development regulation system over the next several months.

   The work and recommendations of the Ad Hoc Review Committee are discussed in Chapter 6 of this report.

B. Goals and Objectives of the City's Development Regulation Efforts

The City's development regulation system involves substantial effort on the part of the following separate City departments and divisions:

- Planning Department
- Public Works Department

- Building and Safety
- City Attorney's Office
- Parks and Recreation Department
- Fire Department
- Police Department

Each department and division concentrates on certain distinct parts of the development regulation process and therefore has its own specific goals and objectives that are brought to bear during the permit review process. However, for the purpose of this study it is useful to consider the broader goals and objectives for the permit process, from a "City-wide" perspective.

OVERALL GOAL: To protect the public health, safety, and general welfare by regulating the development and use of private property and the construction of facilities thereon.

OBJECTIVES:

1. To establish local legislation and policies governing land use and development, as required by State statutes.

2. To insure uniform and adequate application of appropriate ordinances, policies, and development standards within properly designated General Plan land use categories.

3. To promote and encourage land development and uses which are consistent with City-established economic and social goals.

4. To minimize the elapsed calendar time required for the City to process applications for permits and required approvals for land and facilities development.

5. To minimize the procedural complexity and difficulty faced by applicants for permits and approvals.

6. To minimize the cost (to both the City and developers) of processing applications for permits and approvals.

C. The City's Responsibility for Development Regulation

In recent years the land development process, and the City's responsibilities in regulating this process, have increased significantly in complexity. The basis for these responsibilities (as discussed more in Chapter 2) is a complex framework of federal and state law, and local ordinances, policies, and procedures, all of which are designed to guide or limit certain kinds of development. The City's overall responsibility in regulating development can be divided into four main categories.

1. Conformance with General Plan and Zoning Ordinance

The City is required to review development applications to insure conformity with the locally-adopted General Plan and Zoning Ordinance, in terms of density, proposed land use, off-street parking, building size and height, etc. The City is also required to enforce the State Subdivision Map Act as it relates to the subdivision of land.

2. Impact on the Environment and Natural Resources

Under the California Environmental Quality Act (C.E.Q.A.) and the State Environmental Review Guidelines, the City is responsible for addressing the impact of proposed projects on geology, soil, rare and endangered plants and animals, archaeology, noise, air and water pollution, energy, etc.

3. Impact on and Availability of Public Services

The City is responsible for insuring the current and future availability of police and fire protection, schools, parks, water, sewage disposal, and other public services and utilities.

4. Engineering and Design

The City is also responsible for reviewing engineering and design aspects of land development proposals, in relation to public safety and welfare, including proper sewer layout, flood and drainage hazards, structural design, visual quality, road design, access to public areas, access to adjacent property, and adverse effects on adjacent property.

D. Why Streamline the Permit Process?

The U.S. Department of Housing and Urban Development (H.U.D.) published a guidebook for local governments in 1980, entitled "Streamlining Land Use Regulation." This guidebook stresses that:

> For once there is an issue on which public officials, planning staffs, developers, and citizens can all agree: the regulatory process has become too complicated. More and more communities are assigning a high priority to streamlining approval procedures. These reforms often have come about at the urging of local homebuilders and developers, but simplifying the system can benefit all participants.

The HUD Guidebook reports that communities which have streamlined their regulatory systems list the following motives:

-- To contain rising administrative costs. The movement to limit government spending through property tax ceilings, such as California's Proposition 13, coupled with the general push for belt-tightening, has brought pressure on cities and counties to

become more efficient. To some degree, reduced tax revenues are being offset by higher processing fees. But many administrators are finding that streamlining is a necessary step for staying within budgets.

-- To control one of the factors that increase the price of new housing. Regulatory simplification cuts costs incurred by delay and uncertainty in the review process.

-- To save time for public officials. Streamlining can reduce the volume of minor projects they must routinely review, allowing more time for comprehensive planning and policymaking.

-- To encourage the kind of development the community wants. If delay and risk act as powerful deterrents to a developer, the reverse is also true. Streamlining can give a community a competitive edge over others in the market area in attracting investment or reinvestment. It can also make it more attractive to develop on infill land or use innovative site designs.

-- To establish better working relationships between applicants and reviewers. This includes small one-time permit applicants as well as large-scale subdividers.

-- To structure citizen participation. Streamlining can make public input more constructive, responsible, and timely. It can also make it easier for the public to understand the regulatory process.

-- To make the regulatory system more accountable. Simplifying permit processing systems can reduce opportunities for back room agreements or outright corruption.

E. Statement of Concerns

During the past several months major issues and concerns have been raised by City Council Members, Planning Commissioners, developers, and City staff regarding the development regulation process. The following issues have formed the basis for this study:

1. Can the elapsed calendar time required for applicants to obtain discretionary permits and approvals be reduced without a substantial sacrifice in the quality of review?

2. Can the City's permit processing system be streamlined and simplified?

3. Are applicants informed of procedures and requirements to the maximum feasible degree?

4. Does the current organizational processing structure facilitate coordination and consistency in decision-making?

CHAPTER 2: DEVELOPMENT REVIEW AND STATE LAW

The development review process is largely the result of a complex system of State and Local laws. This chapter is devoted to a general understanding of the most crucial state statutes that deal with the development review process: 1) State planning law , and 2) State environmental regulations. A brief description of these laws will make the framework more clear . This analysis was initially prepared in 1980 for the Governmental Research Council of San Mateo County, and has been updated and revised by the Oxnard City Attorney's Office.

A. Government Code Sections Dealing with Local Planning

In California, local planning bodies and procedures are part of an overall planning and development process which is substantially required by State law. Thus, no system of planning at the local level can be properly understood without first describing and analyzing the framework of statutes within which local planning systems have been created. The following is a brief overview of the present State statutes on this subject.

1. General Provisions of Law

The body of law relating to planning and land use is contained in Title 7 of the California Government Code. Every city must establish a "planning agency" (Section 65100; for all statute references see Government Code), which in most cases (and in the City of Oxnard) is a Planning Commission. The planning agency must be funded by the City Council (Sec. 65250). Its first task is to develop a "general plan" (Sec. 65101) and then implement that plan by adopting consistent zoning. The City Council may establish a "planning department" to assist the Planning Commission in its work (Sec. 65200).

2. General Plan

The "General Plan" is just what the term implies: a comprehensive document in general terms outlining the long-term planning objectives, principles, standards, and plan proposals for the physical development of the city. The General Plan must contain elements dealing with land use, traffic circulation, housing, conservation of natural resources, open-space, seismic safety, noise, scenic highways, and safety (Sec. 65302). Optional elements may be added (Sec. 65303). The General Plan is reviewed through public hearings before the Planning Commission (Sec. 65355) and the City Council (Sec. 65352) and adopted by resolution of the City Council (Sec. 65357).

Once a General Plan has been adopted, it controls subsequent planning in the city. It is the task of the planning agency to make recommendations to the City Council as to how the General Plan may be used to serve as a pattern for orderly physical growth and development

of the City (Sec. 65400). The City Council may create administrative bodies or officials (Sec. 65551), direct the Planning Commission to prepare specific plans (Sec. 65450), and establish administrative rules and procedures (Sec. 65550)--all of which are consistent with the General Plan.

Thus, California cities generally have a Planning Commission made up of policy makers, a Planning Department for assistance and a General Plan which the Planning Commission, Planning Department, and City Council must follow.

3. Zoning Regulations

Zoning regulations differ from the General Plan in that they are a specific set of standards which govern the land uses within the City. Put another way, the General Plan sets forth the general planning goals and objectives of the city, while the Zoning regulations set forth specific standards through which the general goals can be implemented. Although the General Plan is the comprehensive planning document in each city, the Zoning regulations are of much greater significance in reality since they speak specifically to what may or may not be done. Zoning regulations must be consistent with the General Plan. Zoning regulations allow a city to segregate different land uses (i.e. residential, commercial, industrial, recreational etc.) so as to lessen conflicts between adjoining land uses (Sec. 65850). Prior to the enactment of zoning laws, adjoining property owners often quarreled resulting in legal battles claiming a nuisance because of incompatible land uses. Zoning regulations were created as a way to designate different areas of the city for different land uses so that each property owner used his or her land in a manner roughly comparable to the manner in which it was used by surrounding landowners.

Established as a valuable tool for orderly growth early in this century, Zoning regulations were found to be a constitutional delegation of the State's police power in order to promote health, safety, morals and the general welfare of the community. It was the State's policy to use Zoning regulations as a mechanism to give cities maximum control over their own planning, while, at the same time, assuring uniformity of treatment in the community as well as due process and the fair treatment of developing property owners. (Sections 65800 and 65804).

The State statutes allow the cities to pass Zoning ordinances regulating:

1. the use of buildings and land (Sec. 65850 (a))

2. the locations, height, size, coverage and density of buildings and lots (Sec. 65850 (c))

3. the use of signs and billboards (Sec. 65850 (b))

4. the requirements for off-street parking and loading (Sec. 65850 (d))

5. the amount of building setback (Sec. 65850 (e))

6. the creation of public facilities (Sec. 65850 (f))

Cities enact these regulations by creating "zones", each of which allows different uses and each of which has special requirements (Sec. 65851). This concept was revolutionary at first because the zoning designation determines what a landowner may or may not do with the land. If the particular property is situated in a residential zone, it may generally be put only to residential uses. In a country that has always had as a central tenet the right to own and freely use private property, such a concept struck at the very core of private ownership. Yet zoning, so long as it was legally enacted and not arbitrary, was upheld as constitutionally valid, even though it might result in some financial losses and other disadvantages to landowners.

A city creates its Zoning Ordinance by holding public hearings before the Planning Commission (Sec. 6585) and the City Council (Sec. 65857). The Zoning Ordinance must be in conformance with the General Plan (65860).

Thus, the total planning picture begins to take shape. Each city creates a General Plan which outlines growth objectives and a Zoning Ordinance to regulate specific land uses. A Planning Commission is created to make policy decisions and recommendations. A Planning Department is created to provide staff and technical assistance to the Planning Commission. Finally, the entire system is put into motion whenever a landowner wants permission to subdivide, build, or otherwise develop property. The permission is given through a system of permits mandated by the Zoning Ordinance and attendant administrative regulations.

4. Subdivision Map Act

A discussion of the State Subdivision Map Act is necessary to make the planning picture complete. State law regulates an owner's division of large parcels of land into smaller parcels for sale to individual owners. Such a land division is called a "subdivision" (Sec. 66424) and is governed by the Subdivision Map Act. Cities are given control over the lot sizes, shapes, designs, and public improvements of such subdivisions (Sec. 66411). Subdivision approval becomes part of the general permit system which also includes the Zoning Ordinances and General Plan. Often, as in the City of Oxnard, cities will have a Subdivision Ordinance to specify explicitly how land shall be subdivided.

The State law requires the city's approval of a "tentative map" and "final map" whenever a landowner desires to subdivide land into five or more condominiums or smaller parcels (Sec. 66426). A "tentative map" must show a great deal of information concerning existing structures, topography, public facilities, and the

proposed lot design and necessary public improvements of a subdivision (Sec. 66424.5). A "final map" is the result of an actual survey and a finalized version of the lot lines as proposed on the tentative map (Sec. 66434). The tentative map is filed with the City (Sec. 66452), analyzed by City staff, and approved or denied with development conditions and exactions by either the Planning Commission or the City Council, depending on the specific city ordinance (Sec. 66452). In Oxnard, tentative maps are approved or denied by the City Council, after a public hearing and recommendation by the Planning Commission. This approval or denial requires a noticed public hearing. Once the tentative map is approved, the landowner prepares the final map in conformance with the approved tentative map (Sec. 66456) which final map must be filed with the City within 24 months of the approval of the tentative map (Sec. 66458).

Thus, the Subdivision Map Act creates a regulatory permit system whereby cities have control over the manner in which tracts of land are subdivided and improved.

5. Summary of Government Code Requirements

After the examination of relevant parts of Title 7 of the Government Code which contain legal requirements in relation to local planning, it is apparent that cities have very little choice when it comes to the structure of their local planning machinery. By law, every city must have a planning agency, which normally is a Planning Commission, to review development and growth in the city. Each city must also have a General Plan which outlines a comprehensive strategy to regulate new construction.

To aid the Planning Commission, cities may create Planning Departments for technical and staff assistance, a specific plan to implement the General Plan, and procedural rules to assure uniformity. In addition, each city may regulate land use through its Zoning Ordinance; may regulate the division of land through its Subdivision Ordinance; and, may administer planning policies through a permit system.

B. The California Environmental Quality Act (CEQA)

One of the most significant parts of every local planning process is the environmental assessment and review that every public agency must, by law, perform before granting development privileges. This requirement is governed by the California Environmental Quality Act, widely know as CEQA, which is found in the California Public Resources Code.

CEQA became effective in 1970 requiring the consideration of environmental factors and protection by all public agencies in their planning and permit processes. CEQA includes a large body of administrative guidelines developed by the California Office of Planning and Research. The California Legislature's purpose in passing CEQA was to insure that decision makers are informed about the present environment and the environmental impacts of each requested development. It requires local governments to first consider the proposed project's negative impacts on the environment and encourage the adoption of feasible alternatives or mitigation measures.

Any time an application is filed asking a local governmental unit for permission to build a "project," compliance with CEQA is required (Sec. 21080(a)). Initially the local government must first make one of the following three determinations:

1. that the project is "categorically exempt" (under the provisions of Sec. 21083, 21084 and 21085;) and needs no further CEQA review;

2. that the project will not have a "significant effect on the environment" (as defined in Sections 21068 and 21083; see appendix) and therefore merits a "negative declaration" (Sec. 21080(c) and 21080.1); or

3. that the project may have a "significant effect on the environment" and therefore requires an "environmental impact report" (Sec. 21080.1).

In making one of the three determinations, local government assesses the project plans, along with detailed environmental information which applicants may be required to present (Sec. 21160). The environmental assessment and resulting decision in large part determine how much time the approval process will consume. If an Environmental Impact Report is needed, the approval process becomes very time consuming.

The Environmental Impact Report, commonly called an EIR, is the real crux of CEQA . Its contents and purpose are described in Sec. 21061:

> An Environmental Impact Report is an informational document which, when its preparation is required by this division, shall be considered by every public agency prior to its approval or disapproval of a project. The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.

The EIR must be prepared by, or under a direct consultant contract with, the local government (Sec. 21082.1). The preparation of such an EIR is time-consuming. First, the local government unit must notify, by mail, all of the other public agencies which must also approve the project (Sec. 21080.4). Secondly, before adoption of the EIR, the local government must give public notice and hold public hearings on the sufficiency of the EIR (Sec. 21092). Thirdly, when the EIR is certified as complete and correct, it must be filed with the State Resources Agency (Sec. 21161). Fourth, and probably most importantly, the local government may not approve a project involving an EIR unless either 1) changes or alterations have been made to mitigate or eliminate the significant environmental effects, or 2)

mitigate or eliminate the significant environmental effects, or 2) there are overriding specific economic, social or other considerations which make mitigation measures or alternatives infeasible (Sec. 21081).

These procedural and substantial requirements surrounding the EIR insure that, whenever a proposed project is determined to have a significant effect on the environment, steps are taken to both highlight and deal with environmental objections.

CEQA explicitly requires that each local government must adopt, by ordinance, "objectives, criteria, and procedures for the evaluation of projects" (Sec. 21082). It also requires that each local government must prescribe time limits, not to exceed one year for EIR's and 105 days for Negative Declarations, within which completion and certification of environmental documents must take place (Sec. 21151.5).

Under CEQA, a local government must first analyze and resolve the effects the project will have on the environment, before analyzing a project for its planning merits, thereby adding more regulations to the requirements of the already complex planning and permit process.

C. Summary

The local development review process is really the result of specific planning and environmental requirements imposed by the State. Any development which the City of Oxnard approves must fit into the City's General Plan and Zoning Regulations required by the state. Each development must also meet stringent environmental regulations and reporting requirements. Finally, in combination, each development must meet the local ordinance-permit requirements, which are designed to assure compliance with the General Plan, State planning law, and State environmental law.

CHAPTER 3: GENERAL DESCRIPTION OF THE CITY'S PERMIT PROCESSING SYSTEM

The purpose of this chapter is to discuss the stages of land development and the structure of City process established to regulate development, including the reviewing departments, the advisory and decision making bodies and the different types of permits required by the City.

A. Stages of Land Development

The land and facilities development process can be divided into four major stages as described below. Depending on the nature of the project, and the legal status of the land, an applicant may start at any of the first three stages. Applicants range from large-scale developers of raw land to individual homeowners improving their residences.

1. Development Concept

This stage mainly concerns large-scale projects which involve substantial amounts of land upon which residential or commercial development is desired. In this stage, applicants formulate the basic concept for development in a certain area, requiring an analysis of General Plan and Zoning requirements.

2. Special Site Design

At this stage, applicants provide tentative maps, plot plans, and other design, engineering and environmental information showing the layout of lots, road access, sewer and water access, open space, etc. Major Subdivisions (subdividing land into five or more parcels); Special Use Permits (requests for land uses not expressly authorized by zoning); and Minor Subdivisions (lot-splitting into four or fewer parcels) all fall into this category.

3. Specific Construction Detail

When the contemplated development is determined to be in accordance with legal restrictions and requirements, applicants apply for permits to begin construction on the sites. All types of building and construction permits fall into this category. Prior to issuing these building permits, the City reviews and approves engineering and design specifications to ensure conformity to applicable building codes and other laws, regulations, and imposed conditions.

4. Construction Inspection

As land is physically developed and structures erected, City inspectors verify that construction conforms to previously-approved specifications. At the completion of this

stage, buildings will be available for user occupancy. This stage serves mainly an enforcement function and as a feedback mechanism for City staff.

As explained in more specific detail later in this report, most actions taken and permits issued under the first two stages above are classified as "discretionary" and require an extensive exercise of judgement on the part of the decision-makers. In Oxnard, The City Council and the City Planning Commission are the decision-makers for virtually all of the City's discretionary permits.

Permits issued under stage #3 above (generally called "building" permits) are classified as "ministerial," as opposed to "discretionary." Approval of the appropriate City departments is given with little or no discretion, if the application complies with pertinent ordinances, regulations, standards, policies and conditions determined by the City in earlier discretionary phases.

8. City Departments Involved in Permit Processing

Seven City departments or divisions are involved in land development permit processing. The role of each is described briefly below, and their respective staff levels (related to permit processing) are shown in Table 3-1 on the next page.

1. Planning Department

The "current planning" division of the City's Planning Department is generally responsible for enforcing land-use regulations within the City, and for recommending the City's position on whether land use applications should be approved or denied by the Planning Commission and/or City Council. Most applications for discretionary permits are made to the Planning Department; and, review of these discretionary permits (by Planning and the other departments) is coordinated by the Planning Department.

The Planning Department is also responsible for initially determining whether there is a need for an Environmental Impact Report (E.I.R.) to be prepared at the applicant's expense.

2. Public Works Department

The "Development" division of the Public Works Department is mainly responsible for evaluating the engineering and transportation aspects of land development projects, and for specific aspects of the plan checking process. Review of applications by the Public Works Department is generally initiated by receipt of application materials accepted by the Planning Department; however, the Public Works Department is the "issuing agency" for Encroachment Permits (required to perform development work in the public right-of-way).

TABLE 3-1: STAFF YEARS ALLOCATED TO PERMIT PROCESSING BY CITY DEPARTMENT

(FY 1982-83 ESTIMATE)

DEPARTMENT	STAFF YEARS (PERMIT PROCESSING)		
	TOTAL	REVIEW	INSPECTION
BUILDING & SAFETY	15.0	6.5	8.5
PLANNING	8.5	8.5	0
PUBLIC WORKS	4.5	3.0	1.5
CITY ATTORNEY	2.5	2.5	0
FIRE	2.4	0.9	1.5
PARKS & RECREATION	0.4	0.3	0.1
POLICE	0.1	0.1	0
TOTAL CITY	33.4	21.8	11.6

3. Building and Safety

The City's Building and Safety staff are responsible for processing ministerial permits, and serves as the "issuing agency" for all building, electrical, plumbing, mechanical, and other construction-related permits as well as the lead agency for the plan checking (review) required for these permits.

The Construction Code Enforcement Division periodically inspects sites after development work is initiated to verify conformance to approved plans and specifications.

4. City Attorney's Office

The City Attorney is responsible for providing legal counsel to all of the City's permit processing departments and decision-making bodies.

5. Parks and Recreation Department

A Landscape Architect in the Parks Division of the City's Parks and Recreation Department reviews most applications for discretionary permits to ensure compliance with landscaping standards. This review is applied particularly to projects requiring Planned Development Permits and Special Use Permits; and to Major Subdivisions involving arterial landscaping. The Parks and Recreation Department also reviews applications for ministerial permits to ensure compliance with landscaping conditions required by the City as part of the earlier discretionary approval stage.

6. Fire Department

The City Fire Department reviews most applications for discretionary permits for compliance with fire safety requirements, including the adequacy and accessibility of fire services. The Fire Department also reviews applications for ministerial (building) permits to ensure compliance with fire code requirements and the incorporation of any required changes upon which discretionary approval was previously conditioned.

7. Police Department

The Police Department reviews most discretionary permits for crime-prevention design characteristics; and, in the case of beer and wine licenses (requiring a Special Use Permit), the Police Department considers the crime statistics for the area involved.

C. Advisory and Decision-Making Bodies Involved in Permit Processing

1. City Council: The Oxnard City Council has final decision-making responsibility for most discretionary permits and acts as the appeals board for decisions made by the Planning Commission and for other specified types of decisions.

2. Planning Commission: The seven-member Oxnard City Planning Commission, appointed by the City Council, has decision-making responsibility for various discretionary permits including: (1) Planned Development Permits, (2) Zoning Variances, and (3) Special Use Permits. Additionally, the Planning Commission has advisory responsibilities in formulating recommendations to the City Council on Rezones and those discretionary permits requiring Council approval.

3. Staff Advisory Committee: As in most jurisdictions, the City of Oxnard has a Staff Advisory Committee (referred to as "SAC"), made up of a representative from each of the six City reviewing departments discussed previously. The purpose of SAC, which meets regularly to consider individual projects, is to provide collective review of discretionary permit applications by the City's responsible departments. These SAC meetings are not formal hearings and applicants do not participate. Through the SAC meetings, departmental concerns are identified, and mitigating measures ("conditions") are developed, for incorporation by applicants to ensure compliance with legal and administrative requirements. In the sense that SAC provides a major focus for staff review and ultimate staff recommendation, SAC is an advisory group in the permit review process.

4. Design Review Committee: The City of Oxnard also uses an informal staff-level committee for the collective review of the architectural and site design features of proposed construction projects. This Design Review Committee (D.R.C.), which meets weekly to provide technical assistance to assigned project planners, consists of four staff members: the assigned project planner; a Plan Checker from Building and Safety; a Landscape Architect from Parks and Recreation; and an a permanently assigned Planner from the Planning Department.

5. Neighborhood Councils: As project applications are filed, the Planning Department notifies the appropriate Neighborhood Council Chairperson, depending on project location. The Neighborhood Councils are invited to discuss any questions with the assigned project planner, and to provide any concerns to the Planning Commission.

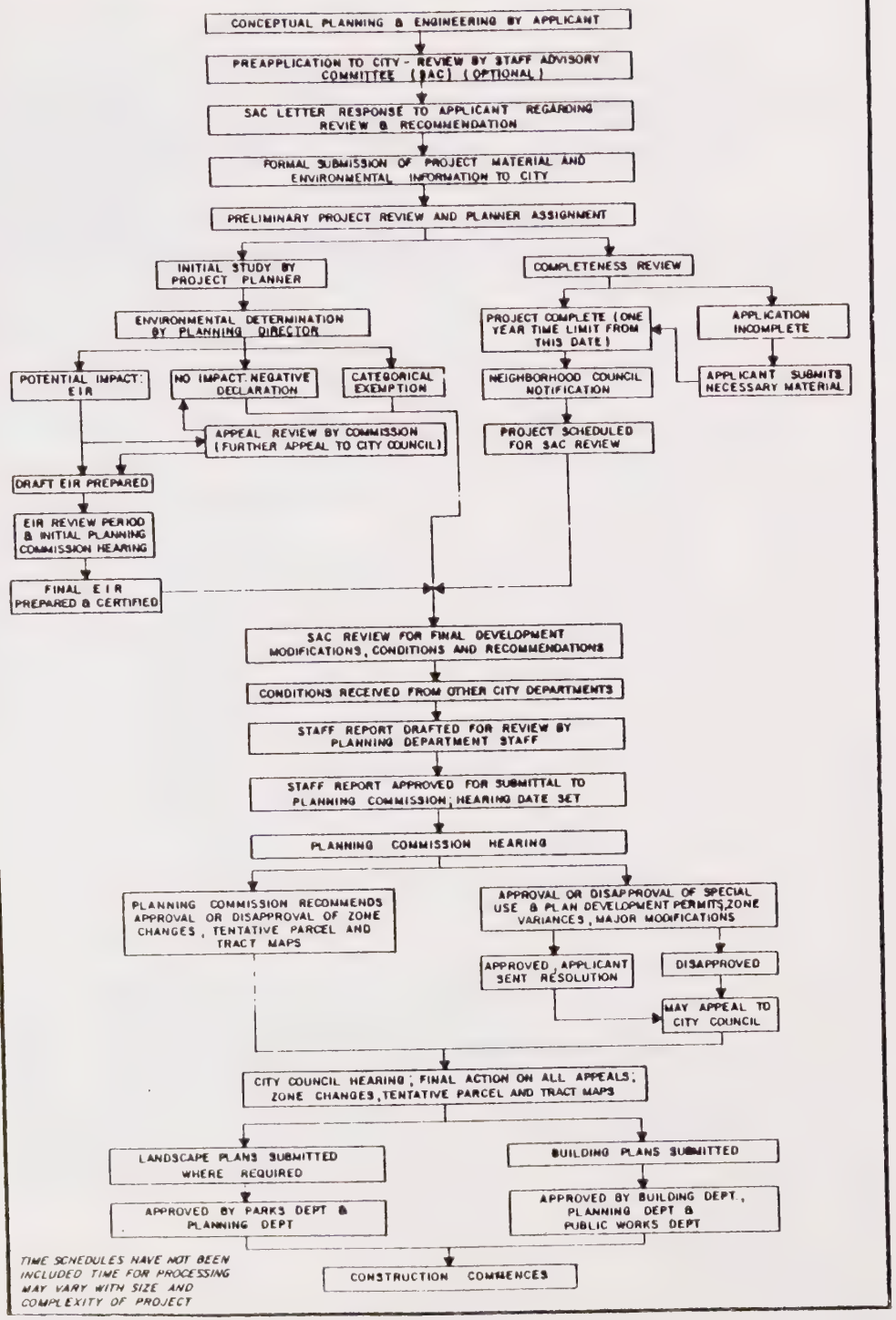
D. Permit Review Process in the City of Oxnard

As shown in the flow chart on the next page, applications for "discretionary" development permits are subjected to a complex review process that we have divided into seven basic stages for the purpose of "tracking" processing times in Chapter 4 of this report:

1. Determination of Completion

Since State-mandated time requirements start when a "complete" application is received by the City, it is useful to separate the stage between application and the determination that such application is "complete"; i.e., that all required materials have

PERMIT PROCESSING FLOW CHART


CONCEPTUAL PLANNING & ENGINEERING BY APPLICANT
PREAPPLICATION TO CITY - REVIEW BY STAFF ADVISORY COMMITTEE (SAC) (OPTIONAL)
SAC LETTER RESPONSE TO APPLICANT REGARDING REVIEW & RECOMMENDATION
FORMAL SUBMISSION OF PROJECT MATERIAL AND ENVIRONMENTAL INFORMATION TO CITY
PRELIMINARY PROJECT REVIEW AND PLANNER ASSIGNMENT
INITIAL STUDY BY PROJECT PLANNER
ENVIRONMENTAL DETERMINATION BY PLANNING DIRECTOR
POTENTIAL IMPACT: EIR
NO IMPACT: NEGATIVE DECLARATION
CATEGORICAL EXEMPTION
APPEAL REVIEW BY COMMISSION (FURTHER APPEAL TO CITY COUNCIL)
DRAFT EIR PREPARED
EIR REVIEW PERIOD & INITIAL PLANNING COMMISSION HEARING
FINAL EIR PREPARED & CERTIFIED
COMPLETENESS REVIEW
PROJECT COMPLETE (ONE YEAR TIME LIMIT FROM THIS DATE)
APPLICATION INCOMPLETE
NEIGHBORHOOD COUNCIL NOTIFICATION
APPLICANT SUBMITS NECESSARY MATERIAL
PROJECT SCHEDULED FOR SAC REVIEW
SAC REVIEW FOR FINAL DEVELOPMENT MODIFICATIONS, CONDITIONS AND RECOMMENDATIONS
CONDITIONS RECEIVED FROM OTHER CITY DEPARTMENTS
STAFF REPORT DRAFTED FOR REVIEW BY PLANNING DEPARTMENT STAFF
STAFF REPORT APPROVED FOR SUBMITTAL TO PLANNING COMMISSION; HEARING DATE SET
PLANNING COMMISSION HEARING
PLANNING COMMISSION RECOMMENDS APPROVAL OR DISAPPROVAL OF ZONE CHANGES, TENTATIVE PARCEL AND TRACT MAPS
APPROVAL OR DISAPPROVAL OF SPECIAL USE & PLAN DEVELOPMENT PERMITS, ZONE VARIANCES, MAJOR MODIFICATIONS
APPROVED, APPLICANT SENT RESOLUTION
DISAPPROVED
MAY APPEAL TO CITY COUNCIL
CITY COUNCIL HEARING; FINAL ACTION ON ALL APPEALS; ZONE CHANGES, TENTATIVE PARCEL AND TRACT MAPS
LANDSCAPE PLANS SUBMITTED WHERE REQUIRED
APPROVED BY PARKS DEPT & PLANNING DEPT
BUILDING PLANS SUBMITTED
APPROVED BY BUILDING DEPT., PLANNING DEPT & PUBLIC WORKS DEPT
CONSTRUCTION COMMENCES
TIME SCHEDULES HAVE NOT BEEN INCLUDED TIME FOR PROCESSING MAY VARY WITH SIZE AND COMPLEXITY OF PROJECT

been submitted. Virtually all other jurisdictions contacted during the course of this study indicated that they do not even accept incomplete applications; so the time required to obtain necessary application materials does not reflect in their processing times, as it does in the City of Oxnard.

2. Environmental Determination

After an application is submitted, the assigned planner begins reviewing the detailed environmental information required of the applicant and prepares an "Initial Study," to determine whether an Environmental Impact Report (E.I.R.) or Negative Declaration is appropriate, as explained previously in Chapter 2. (In cases where an E.I.R. is required, the total processing time can be substantially extended; however, since none of the 63 specific discretionary projects included in our detailed analysis required an E.I.R., the effect of such a requirement is not explored as part of this study.) In many cases, the environmental review phase is concurrent with the "determination of completeness " phase.

3. Review by Staff Advisory Committee (SAC)

After a determination that the application is complete and after the completion of necessary environmental documentation, the project planner's initial report and materials are forwarded to the other reviewing departments and scheduled for discussion at the next (weekly) meeting of the Staff Advisory Committee (SAC).

During the time between notification and the SAC meeting, the departments preliminarily review the project for compliance with legal and administrative requirements. Then, at the SAC meeting these department representatives collectively discuss necessary "conditions" that should be placed on the applicant to achieve compliance.

Note: On Friday afternoons, the Design Review Committee (D.R.C.) assembles to review projects discussed by SAC that morning.

4. Planning Department Receipt of Conditions

After the SAC meeting, and after the DRC meeting where applicable, the responding departments complete their reviews and formalize their recommended conditions and forward these documents to the Planning Department.

5. Preparation of Staff Report

After receipt of the recommended conditions from other departments, the assigned planner completes the necessary staff report and resolution recommending denial or approval as conditioned.

6. Planning Commission Action

When completed by staff and approved by the Planning Director, the staff report is scheduled for one of the Planning Commission's weekly meetings and public notice requirements are met through appropriate publication and mailings to neighboring property owners. On the scheduled date, the Planning Commission holds a public hearing on the permit application and renders a decision, which is final unless appealed on certain actions, and advisory to the City Council on other categories of permits.

7. City Council Action

On those actions where the City Council retains the approval authority, and on other actions appealed properly, the projects are docketed as soon as possible for Council consideration, again with adequate public hearing notice requirements. On the scheduled date, the Council holds a public hearing and renders a decision.

After final approval, a project moves from the "discretionary" phase to the "compliance" phase, where the developer has a limited amount of time to meet, or properly guarantee to meet, the conditions imposed by the decision-making body that granted discretionary approval. In the case of land divisions, final maps and supporting material are certified and submitted, hence this stage is often referred to as the "final map" stage. After final approval of the "compliance" phase, the developer is able to apply for any necessary "ministerial" permits (building permits) to physically change property and erect structures, which permits generally require review and approval only by the respective City departments.

E. Land Development/Use Permits Reviewed by the City

As shown in Table 3-2 on the next page, the City of Oxnard reviews and issues permits for 17 different types of discretionary actions and for 14 different types of ministerial actions. All of the City's discretionary permits are issued by the Planning Department ("lead agency"); and, ministerial permits are issued primarily by Building and Safety, with 2 ministerial permits issued by Planning and 1 by the Public Works Department.

Table 3-2 also shows the volume of permit applications filed in each category during 1981. The City received applications for 6,864 permits during 1981, of which 108 (1.6%) were discretionary and 6,756 (98.4%) were ministerial. In spite of the large numbers involved, ministerial permits are processed very rapidly, usually within a few days and often the same day application is made. Since relatively few concerns have been raised about the time involved in the City's processing of ministerial permits, these permits are not included in the scope of this study.

TABLE 3-2: LAND DEVELOPMENT PERMITS/ ACTIONS REVIEWED BY THE CITY OF OXNARD

DISCRETIONARY PERMITS

Permit/Action	No. Applications During 1981
1. Pre-application	2
2. Annexation	3
3. General Plan Amendment	1
4. Zone Change	4
5. Planned Development	15
6. Special Use Permit	27
7. Tentative Tract Map	6
8. Final Tract Map	7
9. Tentative Parcel Map	8
10. Final Parcel Map	6
11. Reversion to Acreage	3
12. Lot Line Adjustment	0
13. Zone Variance	8
14. Major Modifications	3
15. Minor Modifications	3
16. Minor Commercial SUP	4
17. Time Extensions:	8
SUP (4)	
TTM (3)	
TPM (1)	
TOTAL DISCRETIONARY APPLICATIONS 1981	108

MINISTERIAL PERMITS

Permit/Action	No. Applications During 1981
1. Temporary Use Permit	117
2. Home Occupation Permit	160
Subtotal	277
Issued by Building & Safety	
1. Building Permit	1,990
2. Mechanical Permit	590
3. Electrical Permit	1,153
4. Plumbing Permit	1,224
5. Sign Permit	155
6. Mobile Home Installation	57
7. Moving Permit	3
8. Demolition Permit	14
9. Fence Permit	191
10. Spas, Pools, Patio Covers	160
11. Room Additions	582
Subtotal	6,119
Issued by Public Works Department	
1. Encroachment Permit	360
TOTAL MINISTERIAL APPLICATIONS 1981	6,756

F. Discretionary Permits Reviewed by the City

As mentioned previously, discretionary actions are those in which the decision-makers exercise a high degree of judgement and discretion. Although fewer than 2% of the City's 1981 permit applications involved discretionary actions, a substantial amount of City staff time is devoted to these actions because they are so much more complex than ministerial actions.

The City issues 17 distinct types of discretionary permits, all processed with the Planning Department serving as "lead" agency; i.e., coordinating review by other City departments and preparing final staff recommendations.

For the purpose of this study, the 8 permit categories shown in Table 3-3 were selected for analysis because these categories include most of the discretionary permit processing activity in the City.

TABLE 3-3: PERMIT CATEGORIES REVIEWED DURING STUDY

	PERMIT/ACTION	NO. APPLICATIONS FILED DURING 1981
1.	Zone Change	4
2.	Planned Development Permit	15
3.	Special Use Permit	31
4.	Tentative Tract Map	6
5.	Tentative Parcel Maps	8
6.	Tentative Parcel Map Extension	1
7.	Reversion to Acreage	3
8.	Zone Variance	8
	Total Applications 1981	76

A brief description of each of these 8 permit/categories is provided below:

1. Zone Change ("Rezone"; "Zone Reclassification")

A Zone Change is an amendment to the City's Zoning Ordinance whereby specified land is taken out of one land use zone classification and placed into another. Zone changes can be initiated by either the City or a landowner. When initiated by a landowner, a processing fee of $1,385 is required. The City Council must review and approve Zone Changes.

2. Planned Development Permit ("P.D. Permit")

A Planned Development Permit is required to erect structures and to add to existing structures within specifically-designated zones in the City (called "P.D. Overlay" zones). A Planned Development Permit (requiring additional review) is often associated and processed with, and in addition to, other permits (e.g., Zone Change, Tract Map, Annexation, etc.). A processing fee of $1,060 is required for industrial and commercial Planned Development Permits; while the fee for "P.D. Permits" for residential development is $430 plus a per unit charge between $1 and $8, depending on the number of units. The Planning Commission reviews and approves Planned Development Permits.

3. Special Use Permit ("Major Use Permit," "SUP," "MUP")

A Special Use Permit is required for certain types of uses in specified zones, as established by the City Zoning Ordinance, to ensure Planning Commission review prior to such development or use. A processing fee of $1,060 is required for industrial and commercial Special Use Permits; while the fee for Special Use Permits associated with residential development is $680 plus a per unit charge between $1 and $8, depending on the number of units. The Planning Commission reviews and approves Special Use Permits.

4. Tentative Tract Map ("Major Subdivision"; "T.T.M."; "T.M.")

Approval of a Tentative Tract Map is required for all major subdivisions; i.e., the division of improved or unimproved land into 5 or more parcels (or condominium units). Major subdivisions are called tentative maps prior to discretionary approval and final maps prior to recordation.

A processing fee of $830 plus a per unit charge between $1 and $8, depending on the number of parcels created, is required for Tentative Tract Maps. The City Council must review and approve Tentative Tract Maps.

5. Tentative Parcel Map ("Minor Subdivision"; "TPM")

Approval of a Tentative Parcel Map is required for all minor subdivisions; i.e., the division of improved or unimproved land into four or fewer parcels (including condominium units). Minor Subdivisions are known as Tentative Parcel Maps prior to discretionary approval and Final Parcel Maps prior to recordation. A processing fee of $940 is charged for a Tentative Parcel Map, and City Council approval is required.

6. Tentative Parcel Map Extension

A Tentative Parcel Map "Extension" is required to keep approval valid when the Final Parcel Map (compliance) phase cannot be completed within 24 months of the tentative parcel map's approval. The fee for unexpired tentative parcel maps is one-half of the original filing fee; and, the same general review process applies, with City Council approval required.

7. Reversion to Acreage

Approval of a Reversion to Acreage is currently used to consolidate two or more contiguous lots into one lot, and to combine two or more condominium units into one ownership parcel. A processing fee of $400 is charged for a Reversion to Acreage, and City Council approval is required.

8. Zone Variance

A Variance is a modification of a Zoning Ordinance regulation when it can be shown by the applicant that certain property, because of special circumstances applicable to it, is deprived of privileges enjoyed by other properties in the vicinity and the same zone. A processing fee of $910 for multi-unit and commercial property, and $345 for single family residential is charged; and, Planning Commission approval is required.

CHAPTER 4: ELAPSED TIME FOR DISCRETIONARY PERMIT PROCESSING

The purpose of this chapter is to address the question: can the elapsed calendar time required for discretionary permit review and approval be reduced without substantially sacrificing the quality of review? Through an extensive data analysis and a review of the results of a limited survey of applicant concerns and suggestions, this Chapter identifies general areas of unusual processing delay, both applicant-controlled and City-controlled.

A. Introduction

Depending upon the type of application and the complexities involved, elapsed calendar time from application to a final determination on discretionary permit applications varies from a few weeks to several months. Unnecessary review delays are frequently cited on a nationwide basis as a reason for increased housing costs. While it is difficult to accurately estimate costs associated with this one variable in the highly complex real estate market, it is clearly in the City's best competitive interest to insure the most efficient practical review of development proposals. If elapsed time can be reduced, the cost of development can be lowered (especially in an active sales market); and, if review procedures can be standardized and streamlined, the direct cost to the City of the review process itself can also be reduced.

In way of illustrating the potential benefits of streamlining the permit review process, the city of Fort Collins, Colorado was awarded the 1982 Outstanding Planning Program Award by the American Planning Association for its radical modification of its zoning approach and permit process. These changes reduced the typical processing time of a new development proposal from nine months to four months. Fort Collins reports that this reduction of time saves developers $2,000 in carrying costs on the land for a $65,000 home, and saves the City the cost of two staff years.

B. Elapsed Time Defined

In this chapter, all references to time will reflect elapsed calendar processing time, which is defined as the number of calendar days from the time the process begins (the filing of an application) to the time the process ends with final approval of the permit. As explained in more detail below, this approach to tracking the time associated with the permit process does not necessarily reflect the time required by the City to review the application. Other factors beyond the City's control are also involved in this elapsed time and these factors (such as applicant-controlled time) must be considered in attempts to streamline and expedite the review process.

C. Data Limitations Affecting this Analysis

It must be constantly noted when drawing conclusions from the material presented in this chapter that two major problems exist which severely restrict the use of elapsed time data.

1. Data Limitation #1: Elapsed Time Data For Oxnard Includes (often substantial) Applicant-Controlled Time.

Applicant-controlled time is that time when the City cannot begin or continue processing an application because it must wait for the applicant to do something. For some applications, applicant-controlled time is minimal; while for others, such as major subdivisions, applicant time often constitutes a substantial part of total elapsed time.

In some cases, the City is partly responsible for applicant time, especially when redesign is suggested because standards were not clear to the applicant at the beginning of the process. In other cases, however, the length of applicant time may be a function of the applicant's workload, schedule or financial status--factors over which the City has no control.

Because Oxnard commonly accepts partial (incomplete) applications and works with applicants while additional material is developed and submitted, this applicant-controlled time factor is a substantial part of the City's elapsed time data. Virtually every other city contacted has a firm policy of accepting only completed applications that are determined to be consistent with General Plan and Zoning Ordinance requirements. Oxnard's practice, in essence "starts the clock" at a much earlier point in most processing than is the case elsewhere. As explained more in Chapter 5, because of this difference in common practice, no reliably accurate comparison can be made between elapsed time in Oxnard and elapsed time reported by other jurisdictions.

2. Data Limitation #2: Data Used in this Study Have Been Entirely Reconstructed from Source Files Supplemented by Staff Memories.

The elapsed time data necessary to identify improvement opportunities is available only from case files, which are incomplete (for time analysis purposes) because they were maintained for other reasons. In most cases, the missing information (generally regarding the cause of delays between processing stages) was available through interviews with the assigned planners; but, in some instances these delay causes could not be identified.

Therefore, while the elapsed time data used in this chapter are accurate, it was impossible to precisely account for applicant-controlled time, and in some cases it was difficult to identify the precise reasons for obvious delays.

Because of these major problems the data in this chapter have to be used carefully, and have been qualified where necessary to insure caution. In particular though, these processing times cannot be directly compared with any other jurisdiction's data unless such other data include all projects and all applicant-controlled time.

D. Effect of Environmental Review

As explained in Chapter 3, one of the first steps in the City's permit process is to determine whether an Environmental Impact Report (E.I.R.) is necessary. If necessary, the preparation of an E.I.R. can delay further processing for up to a year.

Since none of the 63 specific projects reviewed as part of this study required an E.I.R., the extensive time required for such documentation is not a part of this evaluation.

E. Approach for Analyzing Elapsed Time in The City of Oxnard

This Chapter of the report reviews the results of a case-by-case examination of elapsed time (overall and between key decision points), and provides an analysis of the apparent causes of delay. Because of the data limitations explained previously, the analysis of delay will be presented in general and properly qualified terms and is intended only to identify potential improvement opportunities.

For the purpose of this study, all applications in 8 major discretionary categories initiated and completed between January 1, 1981 and June 30, 1982 are included. As shown in Table 4-1 on the next page, 106 applications were filed in these categories during the 18-month study period and 63 were completed. These 63 completed projects are the subject of this analysis.

These 8 discretionary categories were selected because they represent the bulk of the City's review workload. The discretionary categories omitted from specific study generally involve the same procedures and processes as those examined; therefore, sources of delay found in this examination are likely to occur throughout the discretionary permit process.

In order to "track" the projects through the complex review process and to isolate areas (and causes where possible) of apparent delay, seven key processing milestones are used in this study. These milestones and the associated processing stages are discussed in detail in Chapter 3.

-- Application Sufficiency: When the assigned case planner determines that all materials necessary for project review have been submitted, a notification letter is sent so-notifying the applicant. The date specified in the notification letter is used in this study as the date of completion.

-- Environmental Determination: The date of the planner's environmental recommendation has been used to signify the completion of this step.

-- Staff Advisory Committee and Design Review Committee: The date of the last S.A.C. or D.R.C. review on each project is used to track the elapsed time through this step.

-- Planning Department Receipt of Conditions: After the S.A.C. meeting, the responding departments complete their recommended conditions and forward these documents to the Planning Department, for inclusion in the staff report. The date of the last condition transmittal form has been used to signify the completion of this step.

-- Preparation of Staff Report: The date on the staff report presenting recommendations to the Planning Commission is used as the completion of this step.

-- Planning Commission Action: The data in this study reflect the date of the Planning Commission's final action (approving or disapproving); or, on permits requiring City Council review, the date of the Commission's final recommendation.

-- City Council Action: The data in this study reflect the date of the City Council's final action (approving or disapproving).

F. Sources of Permit Processing Delay

Pages 32 through 52 at the end of this chapter include an analysis of the elapsed time involved in the 8 major permit categories studied. For each permit category (e.g. Zone Change, Tentative Tract Map, etc.) two factors of analysis are shown:

-- A frequency distribution graph, showing the total elapsed time associated with each completed case; and,

-- A discussion of apparent delays in general terms, aimed toward the identification of streamlining opportunities.

TABLE 4-1: DISCRETIONARY PERMITS INCLUDED IN THIS STUDY OF ELAPSED TIME

DISCRETIONARY ACTION	JANUARY 1, 1981 - JUNE 30, 1982			IN PROGRESS JUNE 30, 1982
	TOTAL APPLICATIONS	COMPLETED	WITHDRAWN	
1. Zone Change (Applicant Initiated)	6	5	1	0
2. Planned Development Permit	18	10	1	7
3. Special Use Permit	47	29	7	11
4. Tentative Tract Map (T.T.M.)	7	4	0	3
5. Tentative Parcel Map (T.P.M.)	13	4	5	4
6. T.P.M. Extension	1	1	0	0
7. Reversion to Acreage	5	3	0	2
8. Zoning Variance	9	7	2	0
TOTALS	106	63*	16	27

*The 63 "completed" projects form the basis for discussion in the remainder of this chapter. A total of 32 of these cases were reviewed in detail (as shown on pages 32 through 52 providing a reliable sample of the purpose of identifying routinely encountered sources of delay.

The routinely encountered sources of delay (or "opportunities for streamlining") that are indicated from the detailed analysis can be grouped into six general categories, as summarized in Table 4-2 below:

TABLE 4-2: MAJOR SOURCES OF PERMIT PROCESSING DELAY IN THE CITY OF OXNARD

APPLICANT-CONTROLLED	CITY-CONTROLLED
• Incomplete Applications	• Inexplicit Development and Review Standards
• Redesign and Revision Delays	• Assignment and Review Delays
	• Development and Approval of "Conditions"
	• Scheduling and Continuance of Planning Commission and City Council Hearings

In discussing applicant-controlled delay it must be noted that a portion of the delay, while impossible to quantify, is probably caused by confusion about some of the City's review standards. Therefore, as other jurisdictions have found, the City can affect the applicant-controlled delay factor by adopting and adhering to comprehensive and explicit development and design standards, and by requiring complete application material showing conformance to these standards before processing is started.

1. Applicant-Controlled Sources of Delay

Apparent sources of delay that are largely under the control of the applicant fall into the two categories summarized in Table 4-2 and explained further below.

- Incomplete Applications

In the 32 cases studied in detail, delay associated with incomplete applications was found in 14 projects (44%). This delay ranged from 2 weeks to 4.5 months. Since the City of Oxnard, unlike virtually all other jurisdictions surveyed, accepts incomplete application material and starts the review process, applicants often provide inadequate documentation either hoping to get an early start on review or because the application requirements are not explicitly available to them. In any, event, substantial review is usually not undertaken, and staff time is unnecessarily spent in working with the applicants to secure the necessary material.

- Redesign and Revision Delays

A substantial amount of delay is associated with the redesign and revision of projects to address concerns expressed by City Staff, the Planning Commission, and the City Council. Of the 32 cases studied in detail, eleven (34%) were referred back to the applicant for changes or clarification by the Staff Advisory Committees, resulting in applicant-controlled delays ranging from 2 weeks to 3 months. Additionally, of the 32 cases, 12 (38%) were continued at the Planning Commission level because of requests for revision or clarification, resulting in applicant-controlled delays ranging from 2 weeks to 4 months. Only 3 of the 32 projects were referred back to applicants by the City Council, and delay in these cases ranged between 1 week and 4 months.

These requests for modification range from small modifications of landscaping plans, causing only a week or two of delay, to complete project redesigns that result in months of delay. During this time most City processing ceases, and the project is "on hold" until the applicant submits the revised or additional material requested.

2. City-Controlled Sources of Delay

Apparent sources of delay that are largely under the control of the city fall into the four categories summarized in Table 4-2 and explained further below:

- Inexplicit Development and Review Standards

It is apparent from discussions with City staff and developers, and supported by our analysis of elapsed time, that substantial delay involved at several stages of the permit review process could be significantly reduced through the adoption and publication of more explicit development and design standards. As previously discussed, much of the applicant-controlled delay associated with redesign requests could be avoided if developers were provided with more specific information as to the expectations of the City review authorities.

The shortcomings of the City's development and design standards are discussed more completely in Chapter 6, as part of the first recommendation of the Ad Hoc Review Committee.

- Assignment and Review Delays

Our case-by-case analysis indicated considerable delay at two stages in the permit review process under the control of the Planning Department: (1) the assignment of cases to project

planners, and, (2) the preparation of staff reports.

In 11 of the 32 cases studied (34%), delays ranging between 1 and 3 weeks occurred in the assignment of projects to project planners. During this time, other departmental staff members often prepare neighborhood notification maps and working files, but no analysis of the projects takes place.

- Development and Review of Conditions

In 5 of the 32 cases studied (16%), delay ranging between 1 month and 3 months surrounded the development and review of conditions by City departments other than Planning. This delay could be reduced through the publication of more explicit development standards and City requirements. Additionally, these delays can be identified more rapidly, and additional staffing assigned as necessary, through an aggressive project tracking system and more active coordination by the Planning Department.

- Scheduling and Continuance of Planning Commission and City Council Hearings

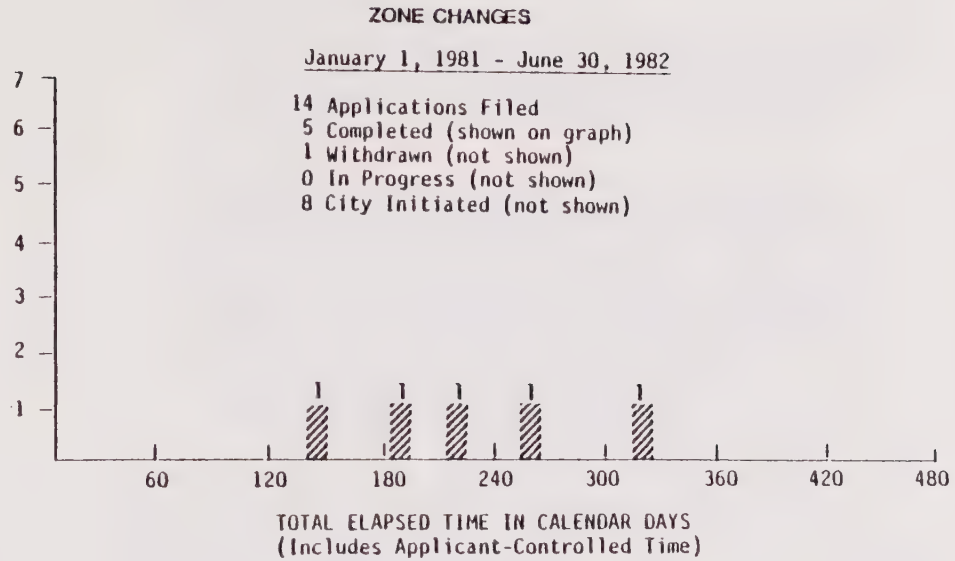
A substantial amount of time is involved in the review of projects by the Planning Commission and the City Council, because of public notice requirements and scheduling difficulties. Most of the cases studied involved 30-45 days before the first hearing at each level, or between 60-90 days for permits requiring review by both the Planning Commission and the City Council.

Of the 15 Planned Development, Special Use, and Variance applications studied, Planning Commission approval was appealed to the City Council in 6 (40%) of the cases, adding the additional time required for Council scheduling. In all other discretionary permits, Council approval is required in addition to Planning Commission review.

In addition to the time required to schedule these hearings, at least 20% of the projects studied encountered continuances of 2-5 weeks because of crowded agendas at the Planning Commission level. None of the studied projects was continued for this reason at the Council level.

At the Planning Commission level, additional time (applicant-controlled) was required in twelve (38%) of the studied cases to comply with requests for revisions and clarifications; but, at the City Council level only three (9%) of these cases were referred back to the applicants for changes.

ELAPSED TIME SUMMARY



ANALYSIS

1. Zone Changes

Fourteen zone change applications were filed between January 1, 1981 and June 30, 1982. Eight of these were initiated by the City through Planning Commission Resolutions of Intention. These City-initiated zone changes were not included in this review because there is no applicant other than the City itself. One of the 6 remaining applications was withdrawn prior to completion. The elapsed times associated with the other 5 completed projects are shown in the graph above.

The 5 completed zone changes were in the processing stream for approximately 147, 185, 220, 260 and 321 days, respectively, including City processing time and substantial applicant controlled time. The average elapsed time for these projects was 210 days (7 months).

ZONE CHANGES (CONT.)

Assignment to Planner

Two of the 5 cases involved a delay of approximately 2 weeks each in the assignment of a case planner, during which time City staff prepared neighborhood notification maps and made up working files, but no analysis of the proposed rezones took place.

Application Sufficiency

One of the 5 zone change applications was incomplete upon filing, requiring 60 days to complete the file. A second project's zone change application was complete, but an accompanying Tentative Tract Map application was not, causing a delay in both permits of 2 weeks. A third zone change application was complete, but an unexplained staff delay led to a 105 day delay in the determination of completion and subsequent processing of the case. The last two applications were complete on filing and experienced no delay in the determination of completion.

Environmental Determination

In all 5 cases, the environmental determination was completed in a timely manner without apparent problems.

SAC/DRC Review

Zone changes normally do not go to either SAC or DRC for review unless physical development is involved. Three of the 5 cases had accompanying development permits (e.g. Tentative Tract Map, Special Use Permit, Planned Development Permit) and these 3 cases did receive SAC and DRC review. In one case this caused no unusual delay. The other 2 zone changes, however, were delayed at this point for approximately two months each as applicants responded to requests for changes in site and architectural designs.

Receipt of Conditions

Again, zone changes are not subject to the conditioning process unless they involve physical development. However, the 3 cases with accompanying development permits noted above were conditioned, and one experienced a delay of approximately three months at this step. Some staff review continued, however, while awaiting conditions from the Public Works Department.

Staff Report

Staff reports were rapidly prepared in 2 of the 5 cases. One staff report, however, was delayed more than 2 months while a General Plan conformity issue was resolved by the Planning Department. Two other staff reports were delayed because Annexation applications were pending before the Local Agency Formation Commission (LAFCO) and needed to be approved prior to zoning. This resulted in delays, beyond the control of either the City or the applicant, of 2 and 3 months respectively.

Planning Commission

All 5 projects incurred delay in scheduling of Planning Commission hearings. Three took 30 days to schedule, one 50 days, and one 60 days. In addition, 3 were continued to second hearings; one for 30 days due to heavy schedules, one for 2 weeks to review conditions, and one for 3 weeks because of heavy schedules and an additional 2 weeks to answer Planning Commission questions.

City Council

All zone changes must be heard by the City Council for both a first and second reading before finalized. The second reading is 1 week after the first. While no other delays were involved, the hearing process added 30 days to 2 projects, 40 days to 1 project and 45 days to 2 projects.

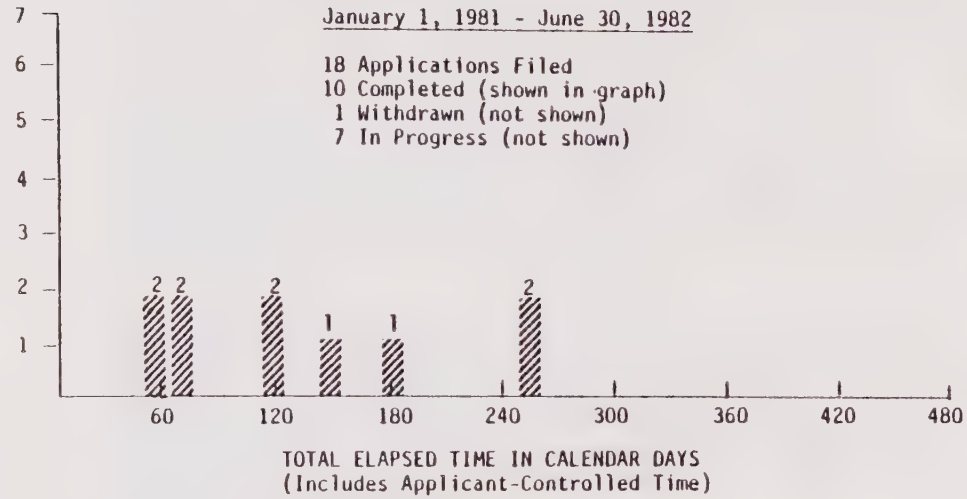
General Observations

The 2 zone changes that involved annexations were substantially delayed while LAFCO considered the annexation. This process must be completed before the City can apply any zoning to land being annexed, however, the staff work done on the zone change request does proceed while the annexation is pending. LAFCO staff members are interested in working more closely with City staff on annexation applications which should reduce this area of delay in the future.

Two of the other zone changes were delayed because of the review required by their accompanying development permits, which receive scrutiny from SAC, DRC, and the conditioning departments. Requested redesign on these projects led to 2 month delays on each project. Finally, one case involved a 105 day staff delay, due only other other staff priorities and a lack of pressure to process the application from the applicant.

ELAPSED TIME SUMMARY

PLANNED DEVELOPMENT



ANALYSIS

2. Planned Development Permits

Eighteen Planned Development permit applications were filed between January 1, 1981 and June 30, 1982. Seven of these projects were still being processed as of June 30, 1982, and one was withdrawn by the applicant prior to completion. Determinations were made (all approved) on 10 of the 18 projects filed during this period. The elapsed time associated with these 10 completed cases is shown in the graph above. The average elapsed time for the 10 completed Planned Development Permits was 141 days, including City processing time and applicant controlled time.

Five of the 10 projects were selected for in depth case study. These five were selected to illustrate a range of elapsed times. Elapsed times associated with these five projects were 72, 75, 147, 189, and 271 days, respectively, reflecting an average elapsed time of 155 days (compared to an average of 141 days for all 10 completed P.D. permits).

Assignment to Planner

Two of the 5 cases involved a delay of 2 to 3 weeks in the assignment of a case planner, during which time City staff prepared neighborhood notification maps and made up working files, but no analysis of the proposed projects took place.

Application Sufficiency

In 3 of the 5 cases, incomplete applications resulted in delay early in the process. The provision of the needed materials took 17 days, 30 days, and 5 months respectively in these cases. (The latter case required the filing of a zone variance application in addition to the P.D. permit.) The remaining 2 cases were complete on filing.

Environmental Determination

In all 5 cases, the environmental determination was completed in a timely manner without apparent problems.

SAC/DRC Review

Only one of the 5 projects (189 day elapsed time) was referred back to the applicant by SAC and DRC for redesign, including parking lot changes, and landscaping changes. This led to applicant-controlled time of 2 months.

Receipt of Conditions

Conditions were received in a timely manner in all 5 cases.

Staff Report

Staff reports were rapidly prepared in 3 of the 5 cases. One staff report was delayed approximately 30 days due to a staff change, and the other was delayed approximately 2 months pending approval of a related annexation by the Local Agency Formation Commission (LAFCO).

Planning Commission

Four of the 5 cases experienced a delay at the Planning Commission hearing step. Scheduling hearings took 30 to 45 days in these cases. In addition, 3 of the 5 cases were continued 2 weeks to allow further review of conditions (1 case) or because of overcrowded Commission agendas (2 cases).

City Council

Unless appealed, Planning Commission approval is final in the case of P.D. permits. However, in 2 of the 5 study cases, the P.D. permits were appealed to allow review in conjunction with accompanying tentative tract maps, which require Council approval. In both cases this added 30 days to the total elapsed time.

PLANNED DEVELOPMENT PERMITS (CONT'D)

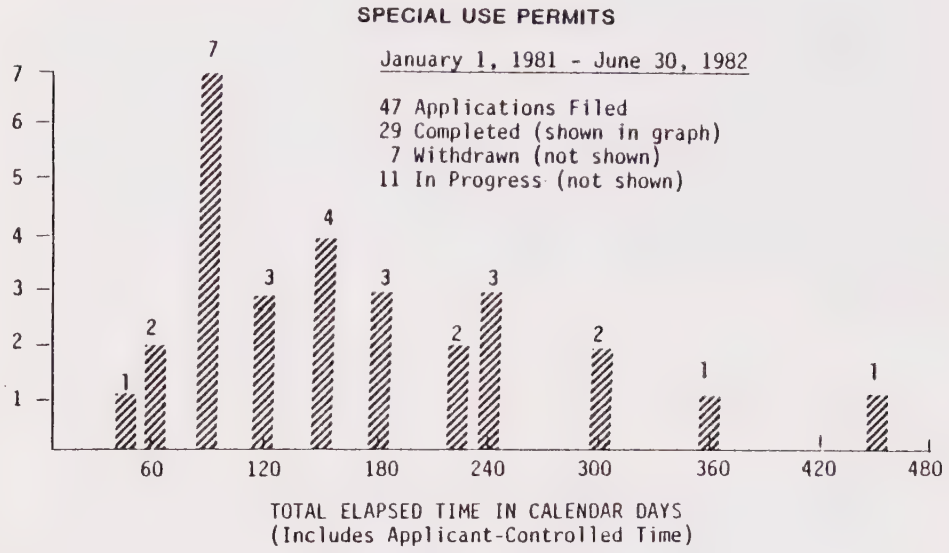
General Observations

The case with the longest elapsed time, 271 days, involved a 5 month delay at the application stage while the applicant prepared the necessary variance application and material to accompany the P.D.

The case with the second longest elapsed time, 189 days, involved 2 months of applicant-controlled time in response to redesign requests from SAC and DRC. A 6 week delay in Planning Commission scheduling was also involved, due at least in part to the Christmas holiday season and several cancelled meetings.

The P.D. permit with the shortest elapsed time (72 days) was considered "fast tracked" by the Planning Department. The only delay in that case was 3 weeks at the case planner assignment step. Because a tentative parcel map was being concurrently processed in this case, the applicant appealed the P.D. approved by the Planning Commission, thereby allowing both items to be scheduled for City Council hearing prior to the close of the 15 day appeal period. This applicant also worked closely with City staff to ensure the project moved ahead without difficulty.

ELAPSED TIME SUMMARY



ANALYSIS

3. Special Use Permits

Forty-seven Special Use Permits were filed between January 1, 1981 and June 30, 1982. Eleven of these projects were still being processed as of June 30, 1982; and 7 projects were withdrawn prior to completion. Determinations were made (all except one approved) on 29 of the 47 projects filed during this period. The elapsed time associated with these 29 completed cases is shown on the graph above. The average elapsed time for the 29 completed Special Use Permits was 170 days.

Six of the 29 completed cases were selected for in-depth case study, representing a cross section of elapsed time on non-residential projects. Another 7 SUP's for residential projects have been included in the Tentative Tract Map and Tentative Parcel Map case studies because they were processed concurrently with the maps. The 6 SUP cases studied here have elapsed times of 48, 85, 92, 158, 220 and 233 days, respectively, reflecting an average elapsed time of 139 days (compared to an average

of 170 days for all 29 completed Special Use Permits.

Assignment to Planner

Three of the 6 cases involved a delay in the assignment of a case planner. Delays were approximately 1 week, 2 weeks,and 3 weeks, respectively.

Application Sufficiency

In 4 of the 6 cases, incomplete applications resulted in delay early in the process. In 2 cases, incomplete applications resulted in delays of 34 and 40 days in order to receive all materials from the applicant. In one case, a question regarding ownership of a neighboring parking lot delayed the determination of completeness 30 days. In the fourth case, 30 days elapsed from filing without preparation of a notice of incompleteness, so the application was deemed complete as required by law. However, new site plans were needed, adding another 30 days to the process.

Environmental Determination

In all 6 cases, the environmental determination was completed in a timely manner without apparent problems. In one case, the Negative Declaration issued was appealed, but the delay involved in this process does not show up until the staff report preparation stage.

SAC/DRC Review

Of the 6 cases, 5 went to SAC and DRC for review. The sixth involved no structural changes, and did not require SAC/DRC review. Two of the 5 cases were referred back to the applicant by SAC for redesign of certain features. This led to applicant-controlled time of 2 to 3 weeks in each project.

Receipt of Conditions

None of the 6 cases studied experienced delay in the receipt of conditions.

Staff Report

Staff reports were rapidly prepared in 4 of the 6 cases. One staff report was delayed approximately 30 days while an appeal of the project environmental determination was reviewed (mentioned previously). A second staff report was prepared and then substantially revised because a new issue was raised by Planning Staff during review of the report. This added approximately 45 days to the process.

Planning Commission

In 3 of the 6 cases, 30 days elapsed before an initial hearing could be scheduled because of the Commission's crowded calendar. Three of the 6 cases were continued; 2 weeks, 3 weeks, and 5 weeks, respectively, to allow staff to resolve outstanding issues. One of these cases involved 2 continuances for a total of 5 weeks; and also required some redesign of the project by the applicant.

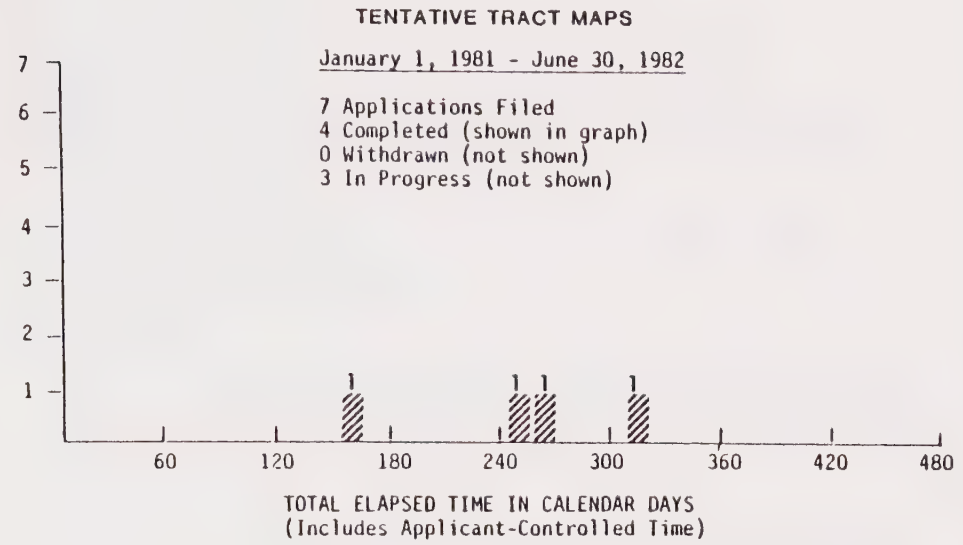
City Council

Unless appealed, Planning Commission approval is final in the case of Special Use Permits. Three of the 6 cases were appealed, one by the applicant after a planning Commission denial, the others by members of the City Council. This process added 40 days to 2 cases, and 60 days to the third one.

General Observations

The Special Use Permit showing the largest elapsed time (233 days) involved substantial neighborhood controversy and an appeal of the environmental determination. The case showing the second largest elapsed time (220 days) involved 2 redesigns requested first by SAC and then by the Planning Commission, partially required by changes to the Zoning Ordinance during the project review period. The permit with the fastest time (45 days) was complete on filing and only involved a change of use in an existing structure, not requiring extensive Public Works conditions or SAC and DRC review.

ELAPSED TIME SUMMARY



ANALYSIS

4. Tentative Tract Maps

Seven Tentative Tract Maps (major subdivisions) were filed between January 1, 1981 and June 30, 1982. Three of these projects were still being processed as of June 30, 1982; and, determinations were made (all approved) on 4 of the 7 projects filed during this period. The elapsed time associated with these 4 completed projects is shown in the graph above. The 4 completed Tentative Tract Maps were in the processing "stream" for approximately 158, 247, 264, and 327 days, respectively, including City processing time and substantial applicant controlled time in the three cases requiring longer times. The average elapsed time for these projects was 249 days (8 months).

Assignment to Planner

Two of the 4 cases involved a delay of approximately 2 weeks each in the assignment of a case planner, during which time City staff prepared neighborhood notification maps and made up working files, but no analysis of the proposed projects took place

Application Sufficiency

In 3 of the 4 cases, incomplete applications resulted in confusion and delay early in the process. Two cases were filed without all required materials, which took 2 weeks in one case and 2 months in the other to secure from the applicants. (In the case requiring 2 additional months, however, processing was not substantially held up because the required material (transparancies and velox prints) would not be needed until presentation to the Planning Commission). In the third case, the Tentative Tract Map application was complete, but the applicant took 30 additional days to provide material in support of a Special Use Permit also required for the proposed development by the Zoning Ordinance. The last of the 4 projects was complete on filing, but an unexplained staff delay of 30 days occurred in the determination of completeness and further review of the project.

Environmental Determination

In all 4 cases, the environmental determination was completed in a timely manner without apparent problems.

SAC/DRC Review

Three of the 4 projects were referred back to the applicants by SAC and DRC for redesign of certain features (e.g. parking) and the submission of additional material on passive solar features in one project. This led to applicant-controlled time of 2 to 3 months in each project. (It is noteworthy that the case with the least elapsed time (150 days) was accepted by SAC and DRC the first time through, without redesign suggestions.)

Receipt of Conditions

Only 1 of the 4 cases experienced a delay at the conditioning step. In this case, Public Works conditions required 3 months to prepare, some of which time was concurrent with applicant-controlled redesign time.

Staff Report

Staff reports were rapidly prepared in 2 of the 4 cases. One staff report, however, was delayed more than 2 months while a general plan conformity issue was resolved by the Planning Department. The fourth staff report, according to the assigned planner, was delayed over 2 weeks because of a typing backlog.

Planning Commission

In 3 of the 4 cases, delays occurred in scheduling the projects for Planning Commission hearing. A minimum of 30 days and as much as 60 days elapsed before an initial hearing because of the Commission's crowded calendar. Two of these 3 projects were subsequently continued by the Commission (2 and 5 weeks respectively) to obtain additional information concerning the recommendations.

TENTATIVE TRACT MAPS (CONT.)

City Council

Other than scheduling and meeting legal notice requirements (requiring 30 to 45 days) little delay was associated with Council review of the 4 Tentative Tract Maps. Three of the projects were approved at the first hearing; the other was continued for 1 week to allow further review of the building facade designs.

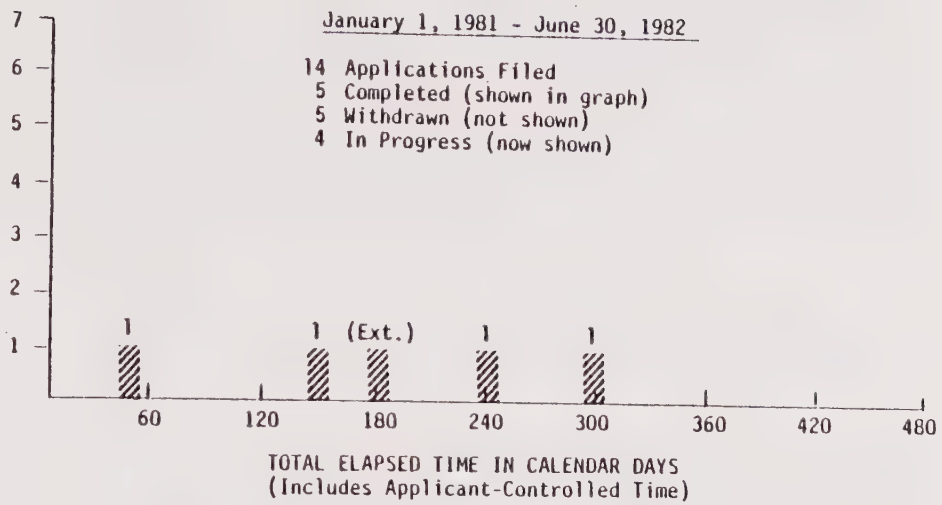
General Observations

The case showing the longest elapsed time (327 days) involved substantial amounts of both staff delay and applicant-controlled delay. This case was reassigned to different planners 4 times during the 11 months from application to approval. Also, because of staff concerns regarding certain project features, and a change in Zoning requirements, a major redesign of the project was necessary, resulting in more than 2 months of applicant-controlled time.

On the other hand, the Tentative Tract Map showing the fastest processing time (158 days), was essentially complete on filing and raised few concerns during the review stages. Of special importance, this project was not subject to redesign requirements which in the other cases added substantial amounts of applicant-controlled time to the total elapsed time.

ELAPSED TIME SUMMARY

TENTATIVE PARCEL MAPS AND EXTENSIONS



ANALYSIS

5. Tentative Parcel Maps and Extensions

Thirteen tentative parcel maps (minor subdivisions) were filed between January 1, 1981 and June 30, 1982. Four of these projects were still being processed as of June 30, 1982; five were withdrawn by the applicant prior to completion; and determinations were made (all approved) on 4 of the 13 projects filed during this period. The elapsed time associated with these 4 completed projects is shown in the graph above.

One parcel map extension was filed and completed between January 1, 1981 and June 30, 1982, and is included in this section because the review process for parcel map extensions is virtually the same as for parcel maps.

The 4 complete tentative parcel maps and the 1 extension were in the processing stream for approximately 42, 141, 180, 244, and 297 days, respectively, including City processing time and substantial applicant controlled time. The average elapsed time for these projects was 179 days. The extension required 180 days.

TENTATIVE PARCEL MAPS AND EXTENSIONS (CONT'D)

Assignment to Planner

All 5 cases were assigned to staff planners in a timely manner.

Application Sufficiency

Four of the 5 parcel maps were complete on filing. The fifth was complete, but a question involving property lines shown on an old parcel map on the same site required resolution prior to the determination of completion. This took approximately 30 days to resolve.

Environmental Determination

In all cases, the environmental determination was completed in a timely manner without apparent problems.

SAC/DRC Review

Two of the 5 cases were referred back to the applicants by SAC and DRC for redesign of certain features. This led to applicant controlled time of 30 days on one project, and 60 to 90 days on the other. These 2 cases have the longest total elapsed time of the five.

Receipt of Conditions

Only one of the 5 cases experienced a delay at the conditioning step. In this case, Public Works conditions required 30 days to prepare.

Staff Report

One staff report was delayed approximately 60 days because of planner reassignments. One of the remaining 4 projects showed a 45 day delay in the combined process of staff report typing, staff report review within the Planning Department, and Planning Commission hearing scheduling.

Planning Commission

Two cases were scheduled within two weeks of staff report completion for Planning Commission hearing. Two cases took 30 days and one took 60 days to schedule due to the Commission's crowded calendar. Three of the 5 cases were continued at least once for a minimum of 14 days by the Planning Commission because of crowded agendas, and to allow time for staff to answer some outstanding concerns. The case with the longest elapsed time of the five was delayed at this stage 4 months while a study on development standards in the neighborhood requested by the City Council was prepared.

City Council

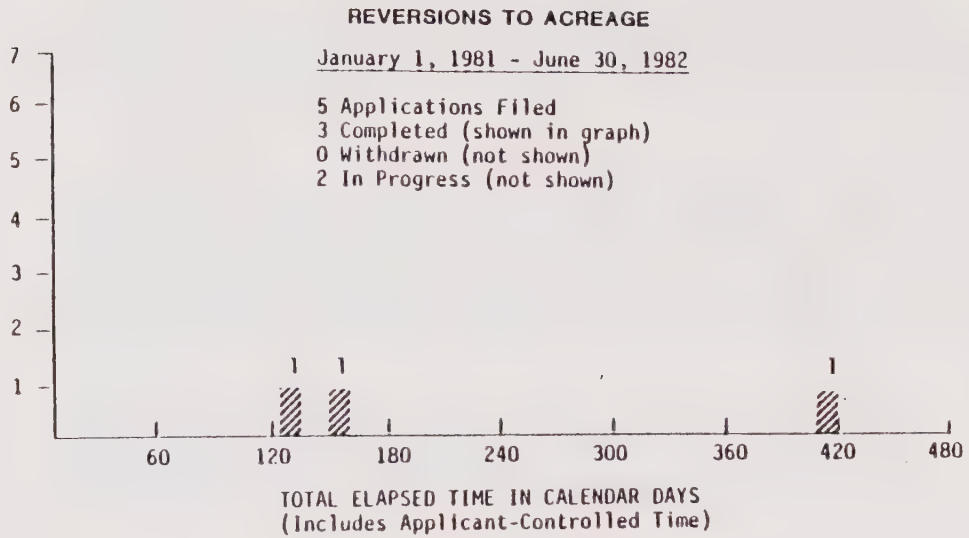
Other than scheduling and meeting legal notice requirements (requiring 30 to 45 days), little delay was associated with Council review of these 4 tentative tract maps. Three of the projects were approved at the first hearing; the other was continued by the City Council an additional two weeks to allow staff time to work with the applicant on a Council concern.

General Observations

The case with the longest elapsed time (297 days) was delayed four months while the City prepared general development standards for the neighborhood. These new standards then necessitated some modifications to the applicant's design. The case with the second largest elapsed time (244 days) involved 2 to 3 months of applicant controlled time redesigning the project at SAC and DRC's requests.

It is interesting to note that the one extension filed was treated as a new parcel map and involved the average elapsed time (180 days) found for new parcel maps.

ELAPSED TIME SUMMARY



ANALYSIS

6. Reversion to Acreage

Five reversion to Acreage (parcel maps) were filed between January 1, 1981 and June 30, 1982. Two of these projects were still being processed as of June 30, 1982; and determinations were made (all approved) on 3 of the 5 projects filed during this period. The elapsed time associated with these 3 completed projects is shown in the graph above.

The 3 completed Reversions to Acreage were in the processing "stream" for approximately 129, 150, and 418 days, respectively, including City processing time and substantial applicant controlled time in the case requiring the longer time.

Assignment to Planner

One of the 3 cases involved a delay of approximately 10 days in the assignment of a case planner, during which time City staff prepared neighborhood notification maps and made up working files, but no analysis of the proposed project took place.

Application Sufficiency

In 2 of the 3 cases, incomplete applications resulted in confusion and delay early in the process. Two cases were filed without all required materials, which took 30 days in one case and 4.5 months in the other (the longest case) to secure from the applicants.

Environmental Determination

Reversions to Acreage are categorically exempt from California Environmental Quality Act requirements. These environmental determinations were completed in a timely manner without apparent problems in all 3 cases.

SAC/DRC Review

One of the 3 projects was referred back to the applicant by SAC and DRC for a small addition to the plans. This led to applicant-controlled time of 2 weeks. (It is noteworthy that the case with the least elapsed time (129 days) was accepted by SAC and DRC the first time through, without redesign suggestions.)

Receipt of Conditions

Only one of the 3 cases experienced a delay at the conditioning step. In this case, Public Works conditions required one month to prepare.

Staff Report

Staff reports were rapidly prepared in 2 of the 3 cases. One staff report, however, was delayed more than 1 month because the staff planner had other higher priority demands.

Planning Commission

In 2 of the 3 cases, delays occurred in scheduling the projects for Planning Commission hearing. A minimum of 30 days and as much as 40 days elapsed before an initial hearing because of the Commission's crowded calendar. The third project was delayed in the scheduling stage 2 weeks because a legal question needed to be resolved with the applicant.

City Council

Other than scheduling and meeting legal notice requirements (requiring 30 days and 45 days) little delay was associated with Council review of 2 of the projects. The third, however, (the case with the 418 day elapsed time), was continued 4 times over a period of 4 months while a question regarding Public Works offsite improvement conditions was resolved.

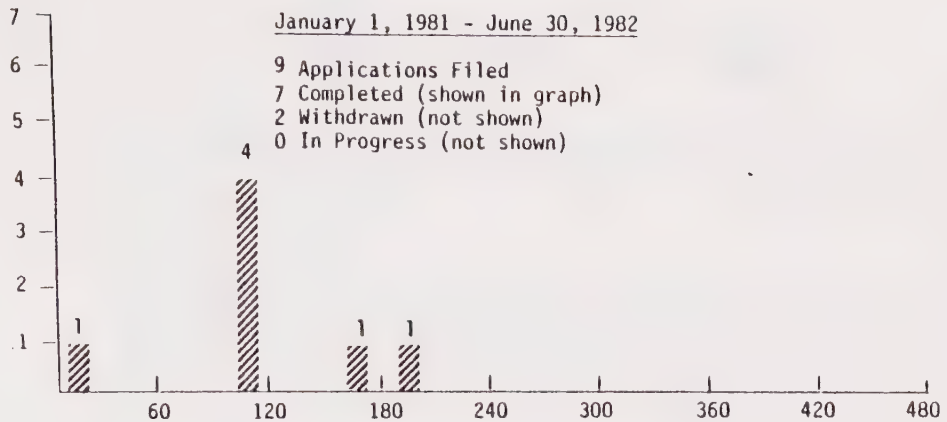
General Observations

The case showing the longest elapsed time (418 days) involved substantial amounts of both applicant-controlled delay and delay at the City Council level.

On the other hand, the Reversion to Acreage showing the fastest processing time (129 days), was not subject to redesign requirements or unresolved questions which in the other cases added substantial amounts of applicant-controlled time to the total elapsed time.

ELAPSED TIME SUMMARY

ZONING VARIANCE



ANALYSIS

7. Zoning Variances

Nine Zoning Variance applications were filed between January 1, 1981 and June 30, 1982. Determinations were made (5 approved and 2 disapproved) on 7 of the 9 projects filed during this period. Two applications were withdrawn prior to completion. The elapsed time associated with these 7 completed projects is shown in the graph above.

The 7 completed zoning variances were in the processing "stream" for approximately 14, 110, 111, 112, 114, 171 and 195 days, respectively, including City processing time and substantial applicant-controlled time in the 2 cases requiring longer times. The average elapsed time for these projects was 111.5 days (3.75 months). Four of the 7 completed Zoning Variances were selected for in-depth case study, representing a cross-section of elapsed time. The elapsed time associated with these 4 projects was 14, 112, 114, and 195 days, respectively, reflecting an average elapsed time of 109 days (compared to an average of 111.5 days for all 7 completed Zoning Variances).

Assignment to Planner

One of the 4 cases involved a delay of approximately 3 weeks in the assignment of a case planner, during which time City staff prepared neighborhood notification maps and made up working files, but no analysis of the proposed projects took place.

Application Sufficiency

All 4 cases were complete on filing, and no delay was incurred at this step.

Environmental Determination

In all 4 cases, the environmental determination (all 4 received categorical exemptions) was completed in a timely manner without apparent problems.

SAC/DRC Review

In all 4 of the cases, the SAC and DRC reviews were completed in a timely manner, with no requests for major project revisions.

Receipt of Conditions

Only one of the 4 cases experienced a delay at the conditioning step. In this case, conditions required by the Police Department required 4 weeks to prepare.

Staff Report

Staff reports were rapidly prepared in 3 of the 4 cases. One staff report, however, was delayed more than 5 months while staff was awaiting comments from the Ventura County Heritage Board, the Historical Society, and California Department of Transportation.

Planning Commission

In 3 of the 4 cases, delays occurred in scheduling the projects for Planning Commission hearing. A minimum of 30 days and as much as 45 days elapsed before an initial hearing because of the Commission's crowded calendar and, in one case, the holiday season.

City Council

Unless appealed, the Planning Commission decision is final with respect to Zoning Variances. One of the 4 cases was appealed, adding 45 days to the process.

General Observations

The case showing the longest elapsed time (195 days) involved substantial amounts of delay beyond the control of both City staff and the applicant because of the review required by other agencies.

On the other hand, the Zoning Variance showing the fastest processing time (14 days) was essentially complete on filing and raised few concerns during the review stages.

G. Survey of Permit Applicants During the Past 18 Months

To gather additional information on potential areas of improvement in the City's permit process, an applicant or "user" survey was undertaken in addition to the extensive research into Oxnard's actual case data discussed previously.

1. Survey Methodology

A cross-section of 27 permit applicants were selected from the major discretionary applications filed between January 1, 1981 and June 30, 1982. This sample group of 27 applicants was representative of the major kinds of discretionary permits issued during that period of time.

A one-page questionnaire was sent to these 27 applicants, asking the following questions:

- Please list the types of development and the permits you have recently processed in Oxnard.
- Have you processed similar projects in other jurisdictions? If so, where?
- How does Oxnard's permit process compare with that of other jurisdictions, especially in terms of clarity and completion time?
- Have you encountered any problems in the permit process in Oxnard? If so, what were they?
- How would you rate your overall satisfaction with the permit process in Oxnard?
- What suggestions can you offer for improvement in Oxnard's permit process?

Of the 27 surveys sent out, a total of 10 responses were received. Eight applicants responded within 4 weeks of mailing; and after telephone follow-up to the remaining 19, two additional responses were received. While this 37% response rate may not be statistically significant, several interesting issues were identified. It must also be noted that the 10 respondents are all professional residential developers.

2. Responses to the Survey

The survey responses can be usefully broken down into three categories: overall impression of Oxnard's permit processing; sources of delay encountered; and solutions recommended.

OVERALL IMPRESSION OF OXNARD'S PERMIT PROCESS	NUMBER OF RESPONDENTS
Satisfactory	4
Mixed	2
Unsatisfactory	4

AREAS OF DELAY ENCOUNTERED	NUMBER OF RESPONDENTS
• Review process required too much time	6
• Confusion surrounding unclear development standards and review process	4
• Design review process takes too long and sometimes infringes on applicants rights	3
• Conditions are sometimes vague, contradictory, and not issued in a timely manner	4
• Inadequate role definition and inconsistency among City Departments, Planning Commission, and City Council	4
• Problems with interdepartmental communication	2
• Complicated arrangement for fee payment	1
• Public Works staff not present to answer questions at hearings	1
• Hearings sometimes delayed indefinitely on major projects	1
• Unnecessary documentation sometimes required	1

SOLUTIONS RECOMMENDED BY APPLICANTS	NUMBER OF RESPONDENTS
• Establish more explicit development and design standards	4
• Evaluate and separately list standard and special conditions	1
• Establish processing time-frames and target deadlines	2
• Restructure SAC/DRC process to allow applicant discussion of concerns and conditions before hearing	2
• Reduce Council-appeal of Planning Commission decisions	2
• Assign Public Works representative to attend hearings	1
• Centralize fee payment	1
• Adopt master E.I.R. for City	1
• Develop consolidated application for projects requiring multiple permits	1
• Require the submission of minimally necessary applicant documentation	1

While very little detail was provided by most of the applicants responding to the survey, it is interesting to note that virtually every area of delay noted by these applicants has also been identified through the preceeding data analysis and the discussions of the Ad Hoc Review Committee. Additionally, the Ad Hoc Review Committee has considered most of the recommendations suggested by the surveyed applicants, and the Committee has included almost all of these suggestions in its final recommendations to the City Council.

CHAPTER 5 PERMIT PROCESSING IN OTHER JURISDICTIONS

The purpose of this Chapter is to discuss permit processing in other California jurisdictions and to present for consideration some of the streamlining techniques found effective in southern California and elsewhere throughout the Nation.

A. General Survey of California Jurisdictions

During the first phase of this study, survey questionnaires were developed and sent to 50 California cities and counties. The questionnaires were designed to obtain information in two areas: (1) the amount of elapsed time required to process various permits; and, (2) the level at which approval authority is vested for various permits in the different agencies.

The 50 cities and counties selected for this survey were chosen to include the following jurisdictions:

- 16 cities of population greater than Oxnard.
- 11 cities of population less than Oxnard.
- 15 cities and 8 counties recommended by various sources, including the U. S. Department of Housing and Urban Development and the State Office of Planning and Research.

Thirty-one completed questionnaires were received from the 50 jurisdictions surveyed, for a response rate of 62%. Several respondents provided copies of ordinances, processing explanations, and narrative instructions, in addition to the completed questionnaires. The quality and speed of the response indicated a high level of interest throughout the State in the obviously common problems surrounding the regulation of land use and the processing of development permits.

As shown in Table 5-1 on the next page, further contact was made with 18 of the respondent jurisdictions, 14 by telephone and 4 by site visit (the extensive information gathered through the site visits is discussed in Section B of this chapter).

1. Elapsed Time Required to Process Permits in Other Jurisdictions

The survey questionnaire requested information on processing times for each of 12 major permit categories. The respondents reported a wide range of processing times, and several jurisdictions provided a wide range of times for each permit.

TABLE 5-1: CALIFORNIA JURISDICTIONS INCLUDED IN SURVEY OF PERMIT PROCESSING

Agency	Population	Questionnaire Returned	Further Contact
Counties			
Los Angeles	7,477,657	x	
San Diego	1,800,100	x	Site Visit
Santa Clara	1,295,071	x	Phone
Alameda	1,105,379	x	
Sacramento	783,381	x	
San Francisco	680,661	No	
San Mateo	587,329	No	
San Luis Obispo	155,245	x	Phone
Cities			
Los Angeles	2,979,480	x	
San Diego	887,748	No	Site Visit
San Francisco	680,661	No	
San Jose	647,542	x	Phone
Long Beach	361,847	No	
Oakland	339,970	x	
Sacramento	281,104	No	
Fresno	235,575	x	Phone
Anaheim	225,146	x	Phone
Santa Ana	209,788	No	
Huntington Beach	172,813	x	Phone
Riverside	171,964	x	
Stockton	155,191	x	
Fremont	134,378	x	Phone
Garden Grove	126,025	x	
San Bernardino	121,936	x	Site Visit
Pasadena	120,479	x	Phone
Modesto	109,058	x	
Bakersfield	109,010	No	
Sunnyvale	106,582	No	
Fullerton	103,462	x	Phone
Berkeley	103,328	No	
Concord	103,251	x	Phone
Hayward	94,617	No	
Santa Monica	88,391	No	
Santa Clara	87,746	No	
Norwalk	85,232	x	Phone
Costa Mesa	83,529	x	Phone
Simi Valley	78,651	x	
Ventura	78,393	x	Site Visit
San Mateo	78,044	No	
Santa Barbara	74,542	No	
Escondido	65,564	x	
Irvine	65,422	x	Phone
Mountain View	59,488	x	
Palo Alto	55,406	x	
Redwood City	55,141	x	
Antioch	44,734	No	
Santa Cruz	42,289	No	
Covina	42,076	x	
San Luis Obispo	34,509	No	Phone
Newark	32,451	No	

TABLE 5-2:

PERCENTAGE OF AGENCIES REPORTING APPROVAL AT VARIOUS LEVELS
(Based Upon Survey of 25 Cities Shown in Table 5-3)

Permit	Approval in Oxnard	Percentage of Other Cities (Approval Authority)			
		City Council	Planning Commission	Administrative Hearing Officer	Staff
Rezone (zone change)	CC	38%	54%	0%	8%
Planned Development	PC	14%	68%	14%	5%
Major Use Permit	PC	8%	48%	40%	8%
Tentative Tract Map	CC	12%	68%	8%	12%
Tentative Parcel Map	CC	0%	29%	29%	42%
Reversion to Acreage	CC	25%	45%	20%	10%
Lot Line Adjustment	CC	0%	22%	44%	35%
Variance	PC	4%	40%	52%	4%
Minor Use Permit	PC	0%	37%	42%	21%

CC = City Council
PC = Planning Commission

In an attempt to validate this data, eighteen (60%) of the respondents were telephoned and asked a series of questions about the nature of their reported processing times. This follow-up effort produced two interesting findings:

-- Virtually none of the agencies contacted maintains complete data summaries showing the elapsed time required for all permits. Although some of the jurisdictions maintain enough tracking data to confidently estimate average processing times, most of the data provided by the respondents was based upon staff estimates, rather than actual full-range data.

-- Virtually every jurisdiction contacted has a firm policy of accepting only completed applications that are consistent with General Plan and Zoning Ordinance requirements. Since Oxnard commonly accepts incomplete applications, and works with the applicant to secure all necessary material, this applicant-controlled time is counted in our overall elapsed time data shown in Chapter 4, while it is not shown as part of similar data for these other jurisdictions.

However, four of the jurisdictions surveyed appear to process most permits substantially faster than Oxnard. These jurisdictions and their recent streamlining techniques were the subject of site visits, as discussed later in Section B of this Chapter.

2. Level of Permit Approval in Other Jurisdictions

Table 5-2 and 5-3 on the next three pages show the levels at which various permits are approved in the City of Oxnard and in the other agencies surveyed. Table 5-2 is a summary of the percentage of permits approved at each level (e.g. Council, Planning Commission, Staff, etc.) in the 25 cities responding to the survey.

This data on approval level is important because most of the jurisdictions reporting effective streamlining efforts have included the delegation of approval authority, to minimize the number of decision-making individuals and groups involved in the review process.

As shown in Table 5-2, most of the cities surveyed require little or no City Council review of development permits. With the exception of Rezones, only 10 of the 25 cities require City Council approval of any of the major development permits; i.e. 15 of the cities (60%) have arranged for virtually all approval authority to be vested in the Planning Commission, Administrative Hearing Officer, or Staff level.

In Oxnard, however, the only discretionary permits approved by the Planning Commission are: (1) Planned Development Permits; (2) Special Use Permits; and (3) Zone Variances. All other

Table # 5 - 3

Permit Approval Authority in Various California Counties and Cities

Jurisdictions with Population Statistics*

Counties		Rezone	Planned Development	Major Use Permit	TTM	TPM	Reversion to Acreage	Lot Line Adjustment	Variance	Minor Use Permit	Amendments and Ext.
Los Angeles	7,477,657	BS	PC	PC	PC	AHO	PC	AHO	PC	PC	PC
San Diego	1,800,100	BS	BS	Staff [1]	Staff [1]	Staff [1]	------	Staff [1]	AHO	AHO	Varies
Santa Clara	1,295,071	BS	-----	PC	BS	BS	BS	Staff	AHO	PC	Varies
Alameda	1,105,379	BS	BS	AHO	AHO	AHO	AHO	AHO	AHO	AHO	Varies
Sacramento	788,381	BS	AHO	AHO	PC	Staff	----	Staff	AHO	AHO	Varies
San Luis Obispo	155,345	----	PC	PC	BS	BS	BS	BS	PC	AHO	AHO
CITIES/POPULATION**											
Los Angeles	2,979,480	PC	PC	AHO	Staff	Staff	Staff	Staff	AHO	AHO	-------
San Jose	647,542	CC	AHO	CC	AHO	AHO	AHO	AHO	AHO	PC	PC
Oakland	339,970	PC	PC	PC	PC	Staff	----	Staff	PC	Staff	Staff
Fresno	235,575	CC	CC	Staff	PC	Staff	PC	Staff	Staff	Staff	Staff
Anaheim	225,146	PC	----	PC	PC	Staff	----	----	PC	----	----
Huntington Beach	172,813	PC	PC	AHO	PC	AHO	PC	AHO	AHO	----	PC
Riverside	171,964	PC	PC	PC	PC	PC	PC	PC	AHO	----	PC
Stockton	155,191	CC	PC	PC	PC	PC	CC	Staff	PC	Staff	PC
Fremont	134,378	PC	PC	PC	PC	AHO	CC	AHO	AHO	AHO	PC
Garden Grove	126,025	Staff	Staff	AHO	AHO	AHO	----	AHO	AHO	AHO	Varies
San Bernadino	121,936	CC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Pasadena	120,479	CC	CC	AHO	Staff	Staff	----	Staff	AHO	AHO	Varies
Oxnard	111,562	CC	PC	PC	CC	CC	CC	CC	PC	PC	Varies
Modesto	109,058	PC	PC	AHO	PC	PC	----	PC	AHO	----	Varies
Fullerton	103,462	----	PC	Staff	Staff	PC	CC	PC	PC	Staff	PC
Concord	103,251	PC	PC	PC	PC	Staff	CC	AHO	AHO	PC	PC
Norwalk	85,232	PC	-----	AHO	PC	AHO	PC	AHO	PC	----	AHO
Costa Mesa	83,529	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC
Simi Valley	78,651	PC	PC	PC	PC	AHO	PC	AHO	PC	AHO	AHO
Ventura	78,393	GC	PC	PC	CC	AHO	AHO	AHO	PC	PC	Varies
Escondido	65,564	PC	PC	PC	PC	Staff	PC	Staff	PC	PC	PC
Irvine	65,422	CC	------	PC	PC	Staff	PC	Staff	AHO	AHO	Varies
Mt. View	59,488	CC	AHO	AHO	CC	Staff	Staff	Staff	AHO	AHO	Varies
Palo Alto	55,406	PC	PC	AHO	PC	PC	AHO	AHO	AHO	AHO	AHO
Redwood City	55,141	Staff	AHO	AHO	PC	Staff	AHO	AHO	AHO	----	Staff
Covina	42,076	CC	CC	CC	CC	----	CC	----	CC	PC	CC

1 - Delegation of authority approved by Board of Supervisors September, 1982

BS - Board of Supervisors

CC - City Council

PC - Planning Commissioner

AHO - Administrative Hearing Officer

* 1980 Census Statistics

** 06-01-81 Population Projections

"discretionary" development permits are approved by the City Council.

The streamlining potential available through restructuring the review process to delegate approval authority was discussed at length by the Ad Hoc Review Committee and is covered in Chapter 6 of this report.

B. Permit Review Streamlining in Four Southern California Agencies

This section provides more detailed discussion of the streamlining methods and techniques used in four other jurisdictions:

1. City of San Bernardino
2. City of San Diego
3. City of San Buenaventura
4. County of San Diego

Each of these jurisdictions has recently implemented or is currently implementing major changes to streamline the review of development applications. These 4 agencies were chosen for site visits based on their efforts to streamline permit processing; and also because they either figured prominently in related literature, provided a local example of streamlining, or were recommended as an example of progressive permit processing.

We conducted each site visit uniformly, adhering to a specific set of questions, selected in advance, designed to gather information regarding the extent and apparent effectiveness of their streamling efforts.

1. CITY OF SAN BERNARDINO

San Bernardino is a charter city of 122,000 people located at the base of the San Bernardino mountains in southern California.

The site visit to the City of San Bernardino consisted of a lengthy interview with the Planning Department's two principal planners and included a review of the techniques recently implemented to streamline the permit process. San Bernardino made changes in five categories which significantly improved its process:

a. The inclusion in the Zoning Ordinance of site review procedures and precise non-negotiated development requirements, all of which are now enforced by the staff review committee.

b. The delegation of approval authority for several discretionary permits from the City Council to the Planning Commission (the City Council continues to act on Rezones, General Plan Amendments and Zoning Ordinance Changes).

c. The use of an optional pre-application conference is encouraged (no fee required). Most major applications are preceded by this conference.

d. The refusal to accept incomplete applications.

e. The establishment and monitoring of a management information system which includes:

   1. Adoption by the City Council of a 28 day permit processing "target" cycle;

   2. Enforcement of agreed upon time constraints for (a) the provision of project conditions,(b) completion of Environmental Determinations and (c) the staff report;

   3. Manual tracking of all processing time between project milestones to measure compliance with the adopted 28 day "target" cycle; and,

   4. Simplified application forms.

In addition to these improvements, San Bernardino made several other changes that had an impact on their process. The amount of supervisory review of completed staff reports has been reduced. There is a proposal under consideration to adopt standard or usual conditions by City Council resolution. This would eliminate the need to include routine standard conditions in the staff reports. Under the proposal, the assigned planner will include only the conditions specific to that project in the staff report. The effect of this proposal will be reduced staff review time in preparation of conditions and in the writing and the typing of the staff report. San Bernardino staff also stated that they have discontinued the practice of requiring applicants to provide an elaborate series of renderings and elevations for presentation to the Planning Commission and City Council. The cumulative effect of the changes made so far has been at least a 30% reduction in processing time; and staff anticipates that the proposed revisions will further expedite the process.

San Bernardino is one of the only jurisdictions surveyed that maintains summaries of processing time. The method used is a manual system which consists of a case scheduling sheet produced every two weeks, listing the status of all current discretionary permit cases including a limited tracking of case progress by milestones. The milestones used are: 1) submittal date (coincides with acceptance of complete applications); 2) Environmental Review Committee (equivalent to Oxnard's SAC); 3) staff report due date; and 4) scheduled presentation to the Planning Commission. Also included in the case scheduling sheet are the case number, a brief description of the project and the name of the assigned planner.

This tracking method allows the Planning Staff to determine if all participating departments are adhering to the 28 day cycle; and, if not, to determine where breakdowns are occurring so that remedial action can be taken in a timely manner. The two planners interviewed stated that San Bernardino maintains target schedules in 85% of the cases handled. Of the 20 active applications listed on the August 20, 1982 case scheduling sheet, 15 cases (75%) were completed within established target times. All 5 of the cases that were not completed within target times were unusually complex proposals, one of which required a complete Environmental Impact Report.

2. CITY OF SAN DIEGO

San Diego is a charter city of 842,000 people located in the southernmost coastal area of California.

The site visit to the city of San Diego consisted of an interview with the Senior Planner in charge of regulatory planning and included an extensive discussion of the City's permit process. In streamlining the permit process, San Diego made changes in 5 categories:

a. Development standards were clarified and established by Ordinance and design standards were set by specific-area plan rather than city-wide guidelines.

b. Approval of various permits was delegated from the City Council to the Planning Commission; and, from the Planning Commission to a Staff Committee (Subdivision Review Board), and to an Administrative Hearing Officer (usually the Planning Director).

c. The formal pre-application process is encouraged but not mandatory (fee required).

d. Incomplete applications are not accepted.

e. A data management system was established for the current purpose of tracking employee-time expended on individual projects to facilitate actual time billing. In the future, this system will be used for the purpose of tracking each permit through the process from submittal to approval. The existing system does generate a monthly report on the status of projects but only lists the date of submittal and whether the project is complete or not. The City plans to expand this "tracking" system in the future to include the data necessary to measure processing time.

San Diego has established a Subdivision Review Committee (SRC) to review and provide conditions for sub-divisions and all other discretionary permits. This staff body meets to discuss all permit applications before a notice of completeness is issued and a Planning Commission or Director hearing is scheduled. The SRC provides a response to the applicant about any problems and advises the applicant what potential conditions may be imposed. This kind of review reduces the amount of applicant controlled time in San Diego's process.

3. CITY OF SAN BUENAVENTURA (VENTURA)

San Buenaventura (Ventura) is a charter city of 78,393, located in California's coastal zone, immediately northwest of Oxnard.

Ventura, the local city selected for a site visit, has recently streamlined its permit process, with a noticeable reduction in elapsed time required for permit review and approval. Features of Ventura's process include the following:

a. Land use development standards were clarified by the City's revised Zoning Ordinance; and design standards are now used by an Architectural Review Board to evaluate the design elements of all major discretionary permits with the exception of single family residences.

b. Approval authority for all discretionary permits, excluding Tentative Tract Maps and Zone Changes, has been delegated by the City Council to either the Planning Commission (Special Use Permits, Variances), a sub-committee of the Planning Commission (Modifications) or to an Administrative Hearing Officer (Reversions, Lot Line Adjustments, Tentative Parcel Maps, and Minor Modifications).

c. An informal pre-application process is encouraged and is apparently well used (no fee required).

d. Incomplete applications are not accepted.

e. The environmental review and planning processes have been consolidated, and the City is actively investigating the installation of a computerized program for permit tracking.

Ventura has also structured the revised process around a four to six week "target" processing cycle; and the City staff estimated that 75% of the permits pre-scheduled for hearing conform to the 4-6 week time frame. Verification of this estimate is currently impossible because Ventura has not yet implemented a manual or automated data tracking system.

Applicants who wish to develop property in Ventura must also meet strict growth management standards; and the City applies these standards at the pre-application stage.

4. COUNTY OF SAN DIEGO

San Diego County, with a population of over 1,800,000 is one of Southern California's growth centers. Located in the southwestern corner of the State, San Diego County has, in the past decade, attracted many new residents due to the variety of climate and availability of open land.

San Diego County was chosen for a site visit due to the concentrated efforts made over the last several years, including some major changes recently, to streamline the permit process. Streamlining techniques currently in force and under development in San Diego County include the following:

a. The Zoning Ordinance is now being revised to streamline the decision-making procedures; and, the County's General Plan is under continuous review and revision.

b. Approval Authority is delegated from the Planning Commission to an Administrative Hearing Officer/Zoning Administrator (Zoning Variances and Minor Use Permits) and to Staff (Tentative Parcel Maps and Lot Line Adjustments). Additionally, the Board of Supervisors is considering a recommendation to establish a new staff committee, the Planning Environmental Review Board (PERB) which may be composed of three to five staff members. Under this proposal, the staff level board would be responsible for the approval or denial of Tentative Tract Maps, Major Use Permits, Road Closures and Vacations and Open Space Easements. This change will allow the Planning Commission to devote additional time to long-range planning, recommendations on proposed Specific Plans, Zone Changes and General Plan Amendments. The Planning Commission will continue to hear all administrative appeals and first level appeals for Coastal Use Permits, Special Use Permits and Tentative Tract Maps; and, if the restucture proposal is approved, the Planning Commission will be the appeal body for decisions made by the staff Committee.

c. The pre-application procedure is permissive by ordinance for Mobile Home Park and Planned Residential Development. Applicants for other permits are not required to participate in the pre-application process but are encouraged to do so (fee required).

d. In order to "fast track" the review process, applicants are encouraged to provide all required documentation at the time of application.

e. The County has implemented a manual tracking system that measures permit processing times. Target times have been established for each major permit, broken out by process step or milestone; and as a permit is processed the actual time between steps is recorded. The collected data is displayed in a monthly report which includes statistics for the permits and the time between the steps in the processing of these permits. Also included is the percentage of projects which meet the target time and those which exceed the target times. In the small sample reviewed, the County met these "target" times in virtually every case.

San Diego County has also implemented a one-stop permit application center. All Land Development Regulation staff from the various County departments are located in one facility, although their organizational accountability is still separate. This adoption of the popular "one-stop shop" concept of has made the process more convenient for applicants, especially since the involved departments used to be located in various parts of San Diego.

C. Streamlining Techniques Used Throughout the Nation

Table 5-4 on the next three pages lists 28 techniques used to streamline development review processes in 70 jurisdictions throughout the Nation. This material was developed through a 1979 survey conducted by the Planning Advisory Service, and made available by the American Planning Association.

This study has not attempted to evaluate all of these streamlining techniques for their applicability to Oxnard; however, the "Alternatives" shown in Appendix B and considered by the Ad Hoc Review Committee were developed based upon the information summarized in Table 5-4 and the streamlining experiences of California jurisdictions reported earlier in this Chapter.

TABLE 5-4: Streamling Techniques Used Effectively Throughout the Nation (reproduced from "Streamlining Land Use Regulation," Reprinted in 1980 by the American Planning Association)

Summary of Streamlining Techniques

Legend

"X" = technique in use in community.
"•" = technique in use in community and described in the text of the guidebook.

COMMUNITIES	Use of handbooks, manuals, regulations, and other written materials	Holding informal preapplication meetings	Reorganization of division of responsibilities	Case of counter operations	Reorganization of regulatory agencies	Use of permit expediters or "ombudsmen"	Preparation of master environmental impact reports	Elimination of duplicative hearings	Use of joint EIS/EIR project review procedures	Improvement of application forms	Use of a hearing officer (or appointed body)	Simultaneous processing of several permits	Field work processing	Use of computers in some phases of permits	Reduction of more detailed applications	Elimination of more project review procedures	Delegation of responsibilities to lower levels	Strengthening of decision-making powers of lower units	Holding more frequent hearings to speed up administration	Improvement of citizen participation techniques to improve regulatory process	Formation of a task force or committee	Use of consultants to study problems or plans	Staff training programs	Public education programs	Training for commissioners	New emphasis on environmental concerns	Abolition of planning commissions	Dual planning commissions
ARIZONA																												
*Phoenix	•	•				•		•	•		•	•			•	•	•	X										
*Tucson																											•	
CALIFORNIA																												
Alameda County	X	X								X	X	X	X			X									X			
Antioch	X	X			X	X			X	X	X					X												
Covina	X								X	X		X																
*Long Beach	X	X	X	X	X		X	X	X	X	X	X			•	X		X										
*Los Angeles						•					•									X								
Los Angeles County	X	X	X			X			X																			
*Mountain View										•																		
Palo Alto	X	X	X		X				X	X	X	X	X		X	X									X	X		
Redwood City							X		X		X	X	X		X	X												
*Sacramento County	X	X	•			•	X			•	X	X			•	X	•	X	X	•								
*San Jose	•	•				X			•	•			•		•	X				•								•
San Luis Obispo County	X	X	X		X			X	X	X	X	X	X	X		X		X				X	X		X			
*San Mateo County	X		X	•	•			X			X										•				X	•		
*Santa Clara County	X	•		•	•				X	•										•								
Santa Cruz	X	X	X	X	X	X			X	X	X	X	X		X	X	X	X	X			X	X	X	X			
Stockton		X			X		X		X		X	X					X											
COLORADO																												
*Breckenridge			•												•						•							
*El Paso County	X	X	X				X		X	X		X	•	X	X	X			X			X	X	X	X			
Pueblo Region	X	X	X		X		X	X	X		X			X	X	X			X	X		X	X	X				
Weld County	X	X	X				X	X	X		X			X					X			X	X	X				
CONNECTICUT																												
Middletown	X	X	X						X	X		X	X		X		X		X			X						
*Windsor									•																			
FLORIDA																												
Clearwater	X	X	X			X	X		X			X					X											
Jacksonville Area	X	X	X																									
*Tampa/Hillsborough County											•																	
ILLINOIS																												
*Kane County	X	•	•						•										•	•								
McHenry County	X	X	X		X			X	X	X			X		X			X		X					X			
Schaumburg	X	X	X		X			X	X	X															X			
Skokie	X	X	X						X									X	X					X				
Springfield/Sangamon County	X	X	X					X	X				X		X	X			X	X								

*(asterisk) indicates that the community is mentioned in the text of the guidebook.

TABLE 5-4 (Continued)

Legend

"X" = technique in use in community.
"•" = technique in use in community and described in the text of the guidebook.

Summary of Streamlining Techniques

COMMUNITIES	Use of handbook, manuals, checklists, and other written materials	Holding informal pre-application meetings	Reduction or revision of ordinances	Concept or counter agreements	Reorganization of regulatory departments	Use of permit expediters or ombudsmen	Preparation of master environmental impact reports	Elimination of duplicative hearings	Use of joint draft project review committees	Improvement of application forms	Use of a hearing officer (or equivalent function)	Simultaneous processing or review of permits	Fast track processing of minor applications	Use of computer in some phases of processing	Institution of more project review deadlines	Elimination of consolidation of review steps	Delegation of decision-making authority to lower levels in bureaucracy	Strengthening of review authority of appeal process	Holding more frequent commission meetings to improve regulatory process	Improvement of certain input procedures	Formation of a task force or committee	Use of consultants to study procedural reforms	Staff training programs	Public education programs	Training for commissioners	Reorganization of decision-making procedures	Abolition of planning commission or zoning board	Dual planning commissions
INDIANA																												
Tippecanoe Area	X	X	X		X			X	X	X			X		X	X		X	X	X	X		X			X		
IOWA																												
Sioux City	X	X	X	X	X				X			X	X			X										X	X	
KANSAS																												
Newton		X		X																								
KENTUCKY																												
Bowling Green City/ County	X		X					X		X		X	X			X					X						X	
Louisville/Jefferson County	X	X	X		X			X	X	X		X				X	X		X	X	X		X	X	X			
MARYLAND																												
Annapolis		X	X						X	X		X																
Caroline County	X	X	X		X				X				X								X					X		
*Baltimore	X	•		•		•			•											•	•							
MICHIGAN																												
Livingston County		X							X	X									X		X							
MINNESOTA																												
Brooklyn Park	X	X	X	X	X			X	X	X													X	X	X			
MISSOURI																												
*Kansas City	X	X	X			X			X		•	X	•			•	X			X	•							
MONTANA																												
Billings/Yellowstone/ City/County		X	X						X				X															
Bozeman City/County	X	X	X										X															
Missoula	X	X	X		X		X	X	X	X		X	X		X	X	X	X	X	X	X		X	X	X	X		
NEVADA																												
Reno	X	X			X				X	X					X				X									
NEW YORK																												
New Rochelle	X	X	X		X										X				X	X								
Rensselaer County	X	X	X					X	X	X		X	X			X			X	X								
NORTH CAROLINA																												
Guildford County	X	X	X						X				X				X				X							

*(asterisk) indicates that the community is mentioned in the text of the guidebook.

TABLE 5-4 (Continued)

Summary of Streamlining Techniques

Legend

"X" = technique in use in community.
"•" = technique in use in community and described in the text of the guidebook.

COMMUNITIES	Use of handbook, manuals, regulations, and other written materials	Holding informal preapplication meetings	Participation in formation of ordinances	Careful drafting of ordinances	Participation of regulating departments	Use of formal negotiations or consultation	Preparation of combined environmental impact reports	Elimination of duplicative environmental impact reports	Use of joint field project reviews	Improvement of application forms	Use of a hearing officer (in some form) to conduct hearings	Simultaneous processing of permits (in some form)	Fast track processing of some types of permits	Use of staff for processing of most applications	Preparation of more project-specific ordinances	Elimination or consolidation of boards and commissions	Delegation of decision-making authority to lower levels of government	Streamlining or revising of appeal procedures	Adopting more explicit criteria for making decisions	Implementation of vision statement (comprehensive plan)	Formulation of a joint vision statement	Use of consultants to help prepare ordinances	Staff training programs	Public participation programs	Training for commissioners	Participation of commissioners in training programs	Reduction of planning commissioners' authority	Other streamlining techniques
OHIO																												
Hamilton		X		X				X				X				X				X			X	X		X		
Holmes County																							X	X	X			
Kent	X	X	X					X		X	X	X	X		X	X	X	X	X	X				X	X			
*Middletown	X	X	X	X	X	X			X	X		X	X		X		X	•		X						X		
OREGON																												
*Lane County	X	•	X	•	•	•			•	•	•		•	X		•	•	•				X	•			•		•
*Salem		X	X	•	•				X	•	X					•			X				•			•		
*Multnomah County	•	X			•				X																			•
SOUTH CAROLINA																												
Florence	X								X			X							X			X		X	X			
TENNESSSEE																												
Chattanooga/Hamilton County	X	X	X						X			X	X	X					X	X				X				
Clarksville/Montgomery County	X		X							X						X			X			X	X	X				
VIRGINIA																												
Culpeper County	X	X	X					X		X			X	X	X	X			X				X	X	X			
James City/County	X	X	X		X			X	X	X		X	X		X	X	X					X	X	X	X			
WASHINGTON																												
Clark County		X	X	X	X	X	X	X	X	X	X	X	X				X	X	X							X		
*King County	X	X		X	X			X	X	X	X	X	X					X			•	X		X			•	
*Seattle																												
WEST VIRGINIA																												
Wheeling							X		X	X	X							X			X		X					
WISCONSIN																												
Mequon	X	X	X			X	X	X	X	X		X			X	X	X									X		
WYOMING																												
Sweetwater County	X	X	X							X												X						
CANADA/BRITISH COLUMBIA																												
Burnaby	X	X										X	X			X										X		

*(asterisk) indicates that the community is mentioned in the text of the guidebook.

CHAPTER 6: RECOMMENDATIONS OF THE AD HOC REVIEW COMMITTEE

The purpose of this Chapter is to explain the recommendations developed by a special Ad Hoc Review Committee established by the City Council to evaluate methods for streamlining the City's development regulation process.

A. Membership and Role of the Ad Hoc Review Committee

As discussed in more detail in Appendix C, on September 28, 1982, the City Council approved the establishment of an Ad Hoc Review Committee to insure participation in this study not only by City officials but also by representatives of the private sector most directly affected by the City's land development regulation process. The Council designated the organizations and groups that should be represented, and these associations chose their individual representatives.

The composition of the Ad Hoc Review Committee involved representatives from a wide variety of perspectives and interests, including City regulatory officials; private sector businesspersons, developers, engineers, and architects; and, private sector environmentalists. Some of the groups designated by the City Council chose to involve two representatives; and, since the Committee was established to identify generally acceptable improvements (based upon consensus rather than majority determination) this additional participation was beneficial to the purpose.

As finally constituted, the Ad Hoc Review Committee included the following members and alternates;

AD HOC REVIEW COMMITTEE

JIM BUCKBEE, Channel Islands Board of Realtors
ELAINE FREEMAN, Executive Director, Building Industry Association
BILL GHORMLEY, Council of Consulting Engineers of Ventura County
JEAN HARRIS, Ventura County Environmental Coalition
GEORGE LAUTERBACH, Oxnard Chamber of Commerce
ALBERT OKUMA, JR., American Institute of Architects, Ventura County
FRANK MAE SMITH, League of Women Voters

EDWARD JOHNDUFF, City Manager's Office
RICHARD MIYAHIRA, Building and Safety Administrator
RICHARD MORTON, Acting Planning Director
EDWARD F. PAUL, Oxnard Planning Commission
HERBYE WHITE, Parks and Recreation Director
BEN WONG, Assistant Public Works Director

ALTERNATES
DENNIS LANDBERG, Council of Consulting Engineers of Ventura County
HOWARD LEACH, American Institute of Architects, Ventura County Chapter
RICHARD D. McNISH, Building Industry Association
MANUEL PEREZ, Oxnard Planning Commission
MATTHEW G. WINEGAR, Senior Planner

Between October 21 and November 24, 1982, the Ad Hoc Review Committee met six times to discuss the material included in this report and to formulate recommendations to streamline the City's permit process without sacrificing the quality of review. These meetings took place on October 21 and 28; and November 4, 10, 18, and 24.

Prior to the first Committee meeting, the evaluation staff provided the Committee members with material reflecting the findings of the initial staff analysis (conducted between August 3 and October 12). Additional material was provided during the first three meetings of the committee. This material included the framework and data supporting Chapters One through Five of this report and the streamlining techniques used elsewhere as discussed in Appendix B.

Each Chapter of this Final Report was reviewed in preliminary draft form by the Committee; and, their comments and suggestions have largely influenced the final form of the study material. So, in this sense, the Committee participated in an unusually active capacity in all phases of the study.

The issues addressed by the Committee are summarized in the "notes" shown as appendix A; and, the committee's ultimate recommendations are presented and explained below.

B. Recommendations of the Ad Hoc Review Committee

This section discusses each of the Committee's eleven recommendations for streamlining the City's permit process. An implementation strategy is also included, to provide the immediate adoption of administrative improvements and a realistic schedule for the orderly evaluation and adoption of more substantial changes. A summary of these recommendations is included in the Executive Summary section of the Final Report.

1. RECOMMENDATION: REVISE THE CITY ZONING ORDINANCE TO:

   - CLARIFY AND UPDATE DEVELOPMENT STANDARDS;
   - INCORPORATE ADOPTED DESIGN REVIEW STANDARDS; AND
   - INCORPORATE APPROVED CHANGES TO PERMIT REVIEW AND APPROVAL REQUIREMENTS.

   Discussion: The Committee agreed that the current Zoning Ordinance causes delay and confusion. In some cases, setbacks and other requirements appear arbitrary and require multiple permits because of the need for Variances in addition to Use Permits due to antiquated and arbitrary standards. For example, the C-2 zone requires no front or side yard setback, but does require a rear yard setback. Further, Ordinance standards for landscaping and design do not conform to current City Council development policies. The definitions and lists of allowed uses are dated and

often confusing and do not make sufficient distinctions among various types of permits. Recent attempts to amend the ordinance have not been comprehensive, resulting in a patchwork ordinance.

All types of permits, although for substantially different uses and intensities of use, require the same level of review. The Special Use Permit has evolved into a design review type mechanism rather than a strict use permit.

The format of the ordinance is not well organized. Often planners are unable to locate provisions of the code, which can result in overlooked requirements. Definitions and requirements which may apply can be found in several different places.

Finally, several new zones are now needed. An airport related use zone, a central business district zone and a business park zone are now considered necessary. The entire industrial classification has proven to be unworkable and confusing, and does not keep up with changes in industrial facilities and City policies.

Proposed Implementation: The Committee felt that, because of other Planning staff commitments, it may be faster and cost-effective to use a consultant on the Zoning Ordinance revisions. A request can be prepared and sent to qualified consultants by February 1, 1983. Proposals can be received and evaluated, a consultant selected, and a contract executed by April 1, 1983. The new Ordinance can be ready for presentation to the Planning Commission for review by September, 1983, and to the City Council for adoption by October, 1983.

2. RECOMMENDATION: ESTABLISH AND ADOPT CLEAR DESIGN REVIEW STANDARDS BY RESOLUTION AS CITY POLICY.

Discussion: The Committee felt that the lack of clear design standards for development makes a significant contribution to permit processing delay. Because applicants are not aware of the City's expectations with respect to project design, a substantial number of projects have had to be revised or redesigned.

Proposed Implementation: A draft Design Manual is scheduled to be presented to the Planning Commission in January, 1983, and to the City Council in February, 1983. Adoption at this time will establish City design policy. Some standards may later be incorporated during the Zoning Ordinance revision (see Recommendation 1), while other standards may remain in adopted resolution form as advisory design elements.

3. RECOMMENDATION: DELEGATE PERMIT APPROVAL RESPONSIBILITY AS SHOWN IN TABLE 6-1 ON THE FOLLOWING PAGE.

Discussion: The Committee felt that numerous minor permits and entitlements which currently require approval of the City Council and/or Planning Commission could be handled at lower levels in the review process. For example, beer and wine licenses, additions to

TABLE 6-1: DELEGATION OF PERMIT APPROVAL AUTHORITY RECOMMENDED BY AD HOC REVIEW COMMITTEE

	PERMIT	PRESENT APPROVAL LEVEL	COMMITTEE RECOMMENDATIONS
1.	Annexation	Council	No Change
2.	General Plan Amendment	Council	No Change
3.	Zone Change	Council	No Change
4.	Major Planned Development Permit	Planning Commission	No Change
5.	Minor Planned Development Permit (a)	Planning Commission	Staff
6.	Major S.U.P.	Planning Commission	No Change
7.	Minor S.U.P. (a)	Planning Commission	Staff
8.	Tentative Tract Map	Council	Planning Commission
9.	Final Tract Map	Council	No Change
10.	Tentative Parcel Map	Council	Staff
11.	Final Parcel Map	Council	Staff
12.	Reversion to Acreage	Council	No Change
13.	Lot Consolidation	Council	Staff
14.	Lot Line Adjustment	Council	Staff
15.	Variance	Planning Commission	No Change
16.	Major Modification	Same as Permit Affected	No Change
17.	Minor Modification	Staff	No Change
18.	Time Extensions: (b)		
	a. Major S.U.P.	Planning Commission	No Change
	b. Minor S.U.P.	Planning Commission	Staff
	c. Tentative Tract Map	Council	Staff
	d. Tentative Parcel Map	Council	Staff

(a) The Committee proposed the establishment of a "Minor" S.U.P. category and a "Minor" Planned Development category, to be further defined by the Planning Department to include discretionary actions appropriate for staff-level review and approval.

(b) The Committee recommended eliminating extensions by making maps and accompanying entitlement valid for 3 years. If this is not approved the second recommendation is to delegate extension approval authority as shown.

small structures, and some sign permits currently require extensive staff analysis and scheduled hearings. More complex permits are often delayed because the large number of relatively smaller permits overcrowds both the Planning Commission and City Council hearing calendars as well as making unnecessary demands on staff time. Thus, delegating approval responsibility for the more minor permits can speed up all permit processing.

A review of the permits studied in detail in Chapter 4 and recommended for delegation by the Committee shows that few are currently being appealed to the City Council after Planning Commission action, or, in the case of the maps, that in few cases does the City Council disagree with the Planning Commission recommendation.

Two of the 5 Planned Development Permit study cases were appealed to the City Council, but this was done in order to allow review of the P.D. in conjunction with accompanying Tentative Tract Maps. Three of the 6 SUP study cases were appealed, one by the applicant, and 2 by the City Council for further review. In all 3 appeals, the Council upheld the Planning Commission decision (1 denial, 2 approvals).

The Tentative Tract and Tentative Parcel Maps require City Council approval. However, during the period of January 1, 1980 to June 30, 1982, the City Council accepted the Planning Commission's recommendation on all Tentative Tract and Tentative Parcel Maps included in this study.

Certain permits require City Council action by State law. These include Annexations, General Plan Amendments, Zone Changes, Final Tract Maps, and Reversions to Acreage. In other cases, the Committee felt the current level of approval (by the Planning Commission) is appropriate. Major SUP's, Variances, Major Modifications, Minor Modifications, and Major SUP Time Extensions fall into this category.

The Committee, however, recommended the following specific delegation of approval authority:

- Tentative Tract Map (from Council to Planning Commission)
- Tentative Parcel Map (from Council to Staff)
- Lot Consolidation (from Council to Staff)
- Lot Line Adjustment (from Council to Staff)
- Minor S.U.P. (from Planning Commission to Staff)
- Minor P.D. (from Planning Commission to Staff)

Note: At the present time, the City does not have the categories of Minor S.U.P and Minor P.D. permits. The Committee felt these distinct categories would be valuable in streamlining the process, and should be developed by the Planning Department for consideration by the Council and Planning Commission (to categorize relatively minor projects for aproval at the staff level).

Proposed Implementation: Land use development permits are covered in two sections of the Oxnard City Code. Chapter 27 establishes the procedures for all land subdivisions, while Chapter 34 establishes Zoning Regulations and the procedures for some permits such as S.U.P.'s, P.D.'s, and Variances. Revisions to Chapter 27, delegating approval authority for Tentative Tract Maps, Parcel Maps, Lot Consolidations, Lot Line Adjustments, and Map Extensions, can be prepared and submitted to the Planning Commission in February, 1983, and to the City Council in March, 1983. The delegation of authority changes recommended to Chapter 34, relating to S.U.P's and P.D's can also be done prior to the more extensive revisions of the Ordinance proposed in Recommendation 1 by defining minor S.U.P's and P.D's.

4. RECOMMENDATION: DESIGNATE THE PLANNING DIRECTOR AS THE COORDINATOR OF THE PERMIT REVIEW PROCESS, AND THE PLANNING DEPARTMENT AS THE LEAD AGENCY TO COORDINATE DEPARTMENTAL REVIEW OF PROPOSALS AND DEPARTMENTAL CONTACT WITH APPLICANTS.

   Discussion: Conflicts between applicants and City departments occasionally arise, primarily over conditions, and could often be resolved quickly if everyone involved met to discuss the problem. The Planning Department needs to take the lead in this coordination.

   Proposed Implementation: The designation of the Planning Director as the lead coordinator and the Planning Department as lead agency of the development process can be done as part of the approval of this report in January, 1983.

5. RECOMMENDATION: PROVIDE AN OPPORTUNITY FOR APPLICANT DISCUSSION WITH CITY STAFF BETWEEN SAC/DRC REVIEW AND THE PREPARATION OF THE FINAL STAFF RECOMMENDATION.

   Discussion: Applicant questions and concerns over conditions can often be resolved at a meeting with Planning and other department staff. This will prevent unnecessary last minute disputes before the Planning Commission and the City Council.

   Proposed Implementation: This recommendation has been implemented by the Planning Department effective November 15, 1982, as a result of the Committee's recommendations. At the direction of the Senior Planner, the Project Planners will arrange meetings when necessary between applicants and representatives of the conditioning departments. These meetings will occur prior to

the finalization of conditions for the staff report. The applicant will be advised of the reasons for the conditions, which may be reevaluated by the conditioning department as a result of the concerns expressed by the applicant.

6. RECOMMENDATION: ESTABLISH A PROJECT TRACKING SYSTEM WITH PERIODIC REPORTS SHOWING ELAPSED TIME ON ALL PROJECTS UNDER REVIEW. THIS SHOULD INCLUDE:

   - A SYSTEM FOR ALLOCATING STAFF REVIEW BASED UPON THE COMPLEXITY AND IMPACT OF PROJECTS;
   - TARGET TIMES BETWEEN REVIEW MILESTONES FOR EACH PERMIT CATEGORY; AND,
   - NEIGHBORHOOD COUNCIL NOTIFICATION IN ALL CASES.

   Discussion: The Committee felt that the lack of milestone deadlines and their enforcement has allowed some projects to fall behind in processing. A project tracking system will help by identifying projects with problem areas, allowing corrective actions to be taken when necessary. The system will also provide applicants with a projection of milestones and dates. They will be better able to plan their activities, and will be able to monitor projects themselves.

   Proposed Implementation:. In response to the Committee's recommendation, Planning staff developed a project tracking system, which was discussed later by the committee and approved by the Planning Director. It is scheduled to be implemented December 1, 1982. The tracking system is designed to allow planners to monitor their own progress as well as for their supervisors to help establish dates and goals.

7. RECOMMENDATION: DEVELOP AND PROVIDE CLEAR WRITTEN MATERIAL TO APPLICANTS, INCLUDING:

   - STANDARD CONDITIONS AND DESIGN GUIDELINES FOR EACH TYPE OF PERMIT;
   - ESTIMATED ("TARGET") TIMES FOR EACH MAJOR STEP IN THE REVIEW PROCESS;
   - PERIODIC REVISION AND UPDATING OF MATERIAL TO ENSURE ACCURACY; AND,
   - EXPLANATION OF CITY-REQUIRED DEVELOPMENT FEES.

   Discussion: Applicants are sometimes unaware of City requirements, design requirements, processing times, or City fees when filing an application. As a result, applications may be incomplete, and project processing delayed. This can be avoided through better communication of requirements prior to filing.

   Proposed Implementation: An interim development guide, based on actions to adopt the Design Manual in February 1983, and including changes proposed for Subdivision Ordinance in March, 1983 can be prepared by the Planning Department. A final development guide can be prepared by the Planning Department after all revisions to the Ordinance are completed, in October, 1983. These guides will include as much information as practical to better inform applicants of City requirements and review processes.

8. RECOMMENDATION: FORMALIZE PRE-APPLICATION CONFERENCE PROCEDURES, INCLUDING THE FOLLOWING FEATURES:

   - AUTHORIZE THE PLANNING DIRECTOR TO REQUIRE PRE-APPLICATION CONFERENCES IN COMPLEX CASES; AND,
   - REDUCE OR ELIMINATE THE $350 FEE FOR PRE-APPLICATIONS.

   Discussion: The Committee agreed that discussion with an applicant prior to filing an application can inform the applicant of City requirements, and would contribute to the incorporation of City standards in the initial design. This can reduce the delay caused by project revisions and redesigns. The pre-application process should be standardized, allowing the applicant to receive a preliminary assessment of the proposal, and to receive information about subsequent steps in the process.

   Proposed Implementation: A resolution establishing new pre-application procedures and fees can be prepared and submitted to the Planning Commission and City Council by February, 1983.

9. RECOMMENDATION: ESTABLISH A POLICY OF INITIATING FORMAL REVIEW OF APPLICATIONS ONLY AFTER ALL NECESSARY APPLICATION MATERIALS HAVE BEEN PROPERLY SUBMITTED AND/OR A PRE-APPLICATION CONFERENCE HAS TAKEN PLACE.

   Discussion: The acceptance of incomplete applications leads to delays in the project processing while the applicant prepares the materials needed to complete the applications.

   Proposed Implementation: The establishment of this policy can be done in conjunction with the resolution of procedures for Recommendation 8 by February, 1983.

10. RECOMMENDATION: AUTHORIZE THE AD HOC REVIEW COMMITTEE TO RECONVENE QUARTERLY UNTIL ALL APPROVED RECOMMENDATIONS HAVE BEEN FULLY IMPLEMENTED; AND TO PROVIDE PROGRESS REPORTS TO THE CITY COUNCIL.

Discussion: Because of the lengthy and complex implementation schedule for the recommendations, the Committee felt a quarterly meeting to review progress would be valuable. It will help keep the implementation on track, and prevent a loss of momentum.

11. RECOMMENDATION: THE COMMITTEE FELT 5 OTHER AREAS OF CONCERN HAVE BEEN BROUGHT TO ITS ATTENTION, BUT ARE BEYOND THEIR PRESENT SCOPE OF REVIEW. THEREFORE, THEY RECOMMEND FURTHER STUDY OF: (A) REVISION OF THE CITY'S GENERAL PLAN; (B) THE CITY'S CONDOMINIUM STANDARDS; (C) THE BUILDING PERMIT AND PLAN CHECK PROCESS; (D) THE PROJECT CONDITIONING PROCESS; AND (E) THE INITIAL APPLICATION FILING REQUIREMENTS FOR LARGER DEVELOPMENTS.

Discussion: Although some of these topics were not discussed in great detail, the Committee did bring out the following points:

a. Revision of the City's General Plan

At present, the General Plan consists of 10 elements plus a Coastal Plan. Some of the elements were originally prepared by the County of Ventura and bear little specific relevance to Oxnard. Most of the elements are over 8 years old and have little relationship to one another. The existing Land Use Element is a refinement of a 14 year old plan.

Planning Staff estimates that 40% of the permit applications involve General Plan issues which are often difficult to evaluate because of the conflicting General Plan policies. Overall policies of the General Plan do not adequately reflect current City policy.

Once a major updating is complete, the Committee recommends continual monitoring and revision as necessary to keep the General Plan up to date.

b. Condominium Standards: Members of the Committee expressed opinions that the adopted Condominium Standards are too arbitrary and detailed, and often discourage innovative designs. The standards may also add considerably to the cost of the housing. The current standards were adopted in 1978 when condominium development in Oxnard was a relatively new phenomenon. The Committee recommended a review of the existing standards and conditions in light of the past development track record and current housing innovations.

c. Building Permit Process: Several members of the Committee felt that problems and delays associated with the Plan Check and Building Permit Process can be as important as those found with the development permit process. Specific areas of concern include time involved in the process, and the occasional lack of interdepartmental coordination. Although discussion sometimes turned to the Plan check review process, the Committee felt that this aspect of the process was worthy of it's own separate review, perhaps with a modified version of the Ad Hoc Review Committee.

d. Standard Development Conditions: The Committee felt that the numerous standard conditions attached to land division and development permits are unnecessary; overshadow the important special conditions; are confusing to many applicants; and are redundant inasmuch as they often refer to City Code requirements. The Committee suggested that a standard list of conditions could be adopted and referred to in each appropriate resolution of approval rather than cluttering up the permit resolutions.

e. Development Plans for Tentative Tract Maps: The Committee expressed concern over City requirements for floor plans, plot plans and detailed home elevations at the time of submittal for Tentative Map approvals. Changes in the map requested by staff, the Planning Commission or the City Council often require changes in the development plans at various stages in the process, costing substantial sums of money. The developers believe that the City has ample Planned Development controls to require design review after the Tentative Map stage. By that time the developers will be assured that they have an approved plan.

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